

PLACE SCRUTINY COMMITTEE

MINUTES of a meeting of the Place Scrutiny Committee held at Council Chamber, County Hall, Lewes on 22 September 2021.

PRESENT Councillors Matthew Beaver (Chair), Chris Collier, Julia Hilton (Vice Chair), Ian Hollidge, Stephen Holt, Eleanor Kirby-Green, Philip Lunn, Steve Murphy, Paul Redstone and Stephen Shing

ALSO PRESENT Philip Baker, Assistant Chief Executive
Rupert Clubb, Director of Communities, Economy and Transport
Nick Skelton, Assistant Director Communities
Matt Scott, Chief Digital Information Officer
Khy Perryman, Information Security & Governance Manager
Rachel Jarvis, Head of Finance - Planning & Reporting
Lucy Corrie, Head of Communities
Martin Jenks, Senior Democratic Services Adviser

8. MINUTES AND ACTIONS FROM THE PREVIOUS MEETING

8.1 The Committee RESOLVED to agree the minutes of the meeting held on 23 June 2021 as a correct record and agree the recommendations made at the meeting.

9. APOLOGIES FOR ABSENCE

9.1 Apologies for absence were received from Councillor Alan Hay. Apologies were received from the Lead Members Councillors Nick Bennett, Claire Dowling and Rupert Simmons. Apologies were also received from Phil Hall, Chief Operating Officer and Ian Gutsell, Chief Finance Officer.

10. DISCLOSURES OF INTERESTS

10.1 There were no disclosures of interests.

11. URGENT ITEMS

11.1 There were no urgent items.

12. RECONCILING POLICY, PERFORMANCE AND RESOURCES (RPPR) 2022/23

12.1 The Assistant Chief Executive introduced the report. He outlined that this is the start of scrutiny's engagement in the budget setting process for 2022/23 and beyond. The State of the County report in July set out the context for the detailed financial planning during the rest of the year. The financial and policy position remains one of uncertainty and there have been a number of developments since July which will be covered in an RPPR Update Report which will be considered by Cabinet on 30 September 2021. There have also been a number of Government announcements which include:

- There will be a three year financial settlement following the spending review which is likely to be published on 27 October 2021.
- The Government is aiming for a balanced budget from the financial years 2023/24 through to 2025/26.
- The Government has announced plans for Health and Social Care reform which will be funded by a 1.25% levy on National Insurance contributions made by employers and employees. Details will be set out in a White paper which will be published later in the year. The impact on East Sussex could be significant in terms of the local care market and on our health partners.
- A plan for Levelling Up will be published later this year with a view to addressing inequalities between and within places and regions in the United Kingdom. It is anticipated that more details will become available around the end of October or the beginning of November to be delivered by the renamed Ministry for Levelling Up, Housing and Communities which replaces the former Ministry for Housing, Communities and Local Government.

12.2 The Committee should expect further policy changes to be made in the coming months and will be kept informed through reports to Cabinet and Full Council. The impact of any policy changes will be factored into the financial planning process.

12.3 The Committee discussed the report and a summary of the points raised is given below.

Local Council Tax Discount Schemes

12.4 The Committee asked for more details on the potential loss of income as a result of the proposed changes to the Local Council Tax Discount Schemes by Lewes and Rother District Councils, and whether this would mean a reduction in the services East Sussex County Council (ESCC) will be able to provide.

12.5 It was clarified that a report on ESCC's response to the consultation by the two billing authorities is being considered by the Lead Member for Resources on 1 October 2021. It is estimated that if the Lewes District Council proposals are implemented it will result in a loss of income to ESCC of around £800,000. It is thought the proposals by Rother District Council will have a less significant impact, but they have not been quantified. The Lead Member report will

set out what this might mean in terms of reduced service provision, and any impact on services will be dealt with through the RPPR process.

Capital Programme - Street Lighting

12.6 Under the capital programme there are plans to replace the remaining sodium street lights with energy efficient LED (Light Emitting Diode) street lighting. The Committee asked if the impact of LED lighting on dark skies and bat and insect populations had been considered. The Director of Communities, Economy and Transport responded that although the Council did not have a dark skies strategy, the approach taken to street lighting is consistent with this type of policy. The department has sought to minimise the amount of time street lighting is on where this is consistent with community safety and road safety considerations. If the Committee wishes to undertake a specific piece of work on the impact of LED lighting, this is something that could be added to the Committee's future work programme.

Measuring and Comparing Carbon Reduction costs

12.7 When thinking about quantify savings against costs, the Committee commented that it would be helpful to develop a metric to measure the amount CO₂ emissions reduction for every pound spent, to help ensure the Council invests in the climate change projects that will deliver the largest CO₂ saving. This will enable the cost of carbon reductions to be compared across the organisation and the Council's range services and activities.

12.8 Officers commented that at the moment the Government's Green Book (which is HM Treasury guidance on how to appraise and evaluate policies, projects and programmes) is unclear on how local authorities should include carbon reduction considerations in their value for money decisions on investments. The de-carbonisation agenda will require significant investment, so how the investment appraisal process is amended to take into account carbon reductions will need to be examined. Work is being undertaken with the Council's supply chain, such as the Highways maintenance contract re-procurement, where contractors are being asked to establish a carbon emissions baseline in the first year of the contract and to outline how they will make changes to become net zero together with the associated costs.

12.9 The Committee commented that the Council may be able to identify the cost of de-carbonising in areas such as highways, but it may find that it is possible to save more carbon for the same amount of money in other areas of the Council's operation. The Director of Communities, Economy and Transport outlined that it is part of the work of the Climate Team to work across the organisation to understand where it is possible to get the most carbon reduction for the money available. Some elements are easier to tackle such as changes to vehicle fleets and the buildings estate, but there will be areas that are tougher to decarbonise such as the use of materials like concrete and tarmac. It is likely that there will be some Government announcements on de-carbonisation priorities ahead of the COP26 UN Climate Change Conference later in the year.

Savings Plans

12.10 The Committee discussed the planned savings and increase in fees or income contained in the Medium Term Financial Plan (MTFP).

- Household Waste Disposal. The Committee questioned whether the planned £250,000 savings in household waste disposal would have an impact on recycling rates. The Director of Communities, Economy and Transport commented that he did not anticipate that there would be an adverse impact on recycling rates as it was important for the Council to maximise recycling and income from the sale of recycled materials. The

planned savings will be achieved through further income generation opportunities such as dealing with commercial waste, the sale of electricity and the sale of recycled materials as well as increased contract efficiencies.

- **On-street Parking Charges.** The Committee enquired about the impact of fee increases and what engagement had been undertaken with residents and the District and Borough councils in East Sussex. The Director of Communities, Economy and Transport responded that the decision to increase on-street parking charges was taken 12-18 months ago after engagement with residents and District and Borough councils. Charging is a way to manage demand for parking spaces and help manage the number of people using cars to travel into town centres. There can also be a positive impact on congestion, and charges have been set to encourage people to use off-street parking for longer stays. It was clarified that the income from parking charges is used to cover the running costs of the parking scheme, and any surplus is ring-fenced for spending on local transport related projects.
- **Library Services.** The Committee noted the planned savings in Library Services and asked if it would be possible to see the revised needs assessment and accessibility analysis. It was clarified that there are no proposals to close further libraries, and the revised needs assessment and accessibility analysis can be shared with the Committee.
- **Trading Standards.** The Committee asked for a report and further information on the impact of the planned £200,000 savings and new EU exit duties.

Portfolio Plans

12.11 **Unsecured Debt.** The Committee commented on the increase in the level of unsecured debt over 5 months old and the performance target set out the Business Services Portfolio Plan. The Committee asked if it would be possible to provide a breakdown of the debt, the steps the Council is taking to recover the debt, and the percentage of the debt that is written off. It was clarified that the debt is often associated with Adult Social Care costs and that any write off of debt above £10,000 is submitted in a report to the Lead Member for Resources and Climate Change for approval. Officers confirmed they can provide further details to the Committee.

12.12 **New Skills for Carbon Zero Economy.** The Committee discussed the establishment of a 'carbon zero' task group within the Employability and Skill Strategy to explore current and future employment opportunities and skills needs in the local economy, for areas such as the conservation of older buildings to make them more energy efficient (Communities, Economy and Transport Portfolio Plan). The Director of Communities, Economy and Transport commented that the Careers East Sussex task group is exploring the workforce development needs of the local economy. Skills East Sussex are looking at the skills needed for a net carbon zero economy (e.g. engineers, planners, building conservation and other skills). The ESCC Property Team has undertaken work to ensure the Council's buildings are as energy efficient as possible, including older buildings such as Southover Grange in Lewes and Hastings Library.

Medium Term Financial Plan (MTFP)

12.13 The Committee commented that there is a significant difference in the forecast annual budget deficit between the three years of the current MTFP. The Assistant Chief Executive clarified that there are no new savings planned for the next financial year, but there remain challenges for future years funding. As more information becomes available, the forecasts for future financial years will be revised and the Committee will be kept informed of these.

12.14 The Committee discussed establishing an RPPR scrutiny review board to comment on the emerging Portfolio Plans and MTFP. The Committee agreed to establish an RPPR Board comprised of all Place Scrutiny Committee members who wished to attend, and to invite the Chair of the People Scrutiny Committee to attend the Board meeting which will be held during December 2021.

12.15 The Committee RESOLVED to:

- 1) Explore further the impact of planned savings on the Trading Standards Service and Library Service;
- 2) Request further information on the level of unsecured debt over 5 months old; and
- 3) Establish an RPPR scrutiny review board to consider the developing Portfolio Plans and Medium Term Financial Plan and to submit Scrutiny's final comments on them to Cabinet in January 2022.

13. PRESENTATION ON CYBER SECURITY MEASURES

13.1 The Information Security and Governance Manager gave a presentation on the Council's cyber security arrangements, including measures to counter ransomware attacks. He outlined that the National Cyber Security Centre (NCSC) had identified ransomware as the number one threat to local government organisations. He gave the example of Redcar and Cleveland Borough Council where a ransomware attack got through to their core IT infrastructure via an older, legacy system which had less protection. This resulted in Redcar and Cleveland Council being unable to access databases and machines, forcing them to close services and initiate business continuity arrangements. The estimated cost of the attack was £10.4 million including damage to IT systems, loss of income, decreases in productivity and the impact on staff.

13.2 The Council constantly monitors cyber security threats and uses a wide range of cyber security measures to protect its systems and information from ransomware. Some of the measures used include:

- Protective Domain Name Service (PDNS) which is a tool provided by the NCSC to check domains are not linked to malware or other threats when a user clicks on a link or searches for something using an URL (Uniform Resources Locator) or web address.
- Trusted Platform Module (TPM) microchips are used in new laptops to give added encryption protection and makes them less vulnerable to attack and more resilient.
- Moving to 'Always On' VPN (Virtual Private Network) to enhance security.
- Increasing the resilience of services by using things such as 'hot, hot' data servers for business critical systems to ensure there is no downtime if a back-up server has to take over.
- Increasing the use of virtualised servers and blade servers to make it easier to take servers off-line and quicker to bring them back online if there is a problem.
- Continuing to develop shared intelligence through the NCSC Cyber Security Information Sharing Partnership and work with other local authorities. This helps to identify emerging threats and the NCSC can also identify any weaknesses or issues with systems, including third party systems.
- Collaborative working with our Orbis partners Surrey County Council and Brighton and Hove City Council, sharing lessons learnt and security configurations.
- Continued development of in-house cyber security staff, including five staff who hold NCSC accreditation which is equivalent to a Masters level degree.

- Holding three back-ups in two locations with one off-line (3-2-1 rule) to protect against ransomware, which is something NCSC is promoting as best practice.

13.3 The Council is constantly working to improve and maintain its resilience in the event of an attack. It is likely that the Council will be targeted, and this may result in some system downtime. The Team is working with departments and partners to see what the impact of various scenarios would be, and how they would cope with system downtime (e.g. 24 hours downtime, 48 hours down time etc.) to help inform their resilience and business continuity plans.

13.4 The increase in remote working during the pandemic has presented some challenges and the Council has adapted its security posture to take this into account. This has included looking at new tools and systems requested by users centrally to risk assess them and strengthen security.

13.5 The Committee thanked officers for the informative presentation and were reassured and impressed by the measures being taken to protect the Council's systems and information from cyber security threats. The Committee discussed the presentation and a summary of the points raised is given below.

- The Committee asked whether all services were now on virtual infrastructure and whether exercises are conducted that rehearse the realistic effect of what would happen in the event of a ransomware attack. The Information Security and Governance Manager responded that the exercises are carried out with departments which rehearse the impact on core IT services such as email and individual departmental systems. This can be from a very minor outage to a major outage with widespread system failure. The majority of infrastructure is now virtualised due to the ease of restoring systems, but some is still provided on non-virtual infrastructure to add resilience.
- In addition to the 3-2-1 back-ups referred to earlier, there are incremental back-ups and cloud back-ups that capture smaller changes in files that allow reversion to earlier versions of files. The back-up system includes a centralised back-up group which has incremental back-ups, and the two data centres have their own separate storage for resilience as well as an off-line back-up so it is possible to restore systems in the event of the other two back-ups becoming corrupted. The data centres used are Tier 3 which is the highest level of data centre in terms of resilience and security.
- The Committee enquired whether there were sufficient trained and accredited staff for the Council's needs and whether staff and councillors working practices posed a risk. The department is seeking to train as many certified staff as needed and checks the NCSC credentials list regularly to ensure all staff have up to date training when new items are added. Digital footprint training is provided to all staff where staff are shown how their footprint affects them, and how to keep themselves and systems secure. This training is run almost every week and is targeted at individuals and their job role in order to cascade the learning through their work life and their use of IT outside work. It is likely that councillors may be targeted by malware because of their role. The Information Security and Governance Manager offered to set up some training sessions for councillors and the Committee agreed that they would be interested in attending this type of training.
- It was clarified that ESCC does use one of the systems that Cleveland and Redcar Council had when it was attacked, but our system has been maintained up to date and is not legacy, and therefore does not pose a risk. All ESCC systems are regularly updated and patched to fix any known security weaknesses, which alongside regular training, provides some of the most effective measures against cyber attacks.

- The Committee asked if the Council has warning systems in place that can warn or advise users in the event of an attack. The Information Security and Governance Manager confirmed that the Council has multiple systems for notifying users when there are issues with the systems that they are using.

13.6 The Committee RESOLVED to:

- 1) thank officers for the very detailed presentation;
- 2) note the presentation and that the Committee is satisfied with the cyber security measures that are in place; and
- 3) confirm that no further scrutiny of this topic is necessary at this point in time.

14. EMERGENCY PLANNING AND BUSINESS CONTINUITY

14.1 The Assistant Director Communities introduced the report. He outlined that emergency planning services in East Sussex are provided through the East Sussex Resilience and Emergency Planning Partnership (ESREP) which is a partnership of local authorities comprised of ESCC, East Sussex Fire and Rescue Service (ESFRS) and four out of the five District and Borough councils in East Sussex. The overarching aim of the Emergency Planning Team, which is based in East Sussex, is to support all the partners in meeting the requirements of the Civil Contingencies Act 2004. All partners contribute to a central budget which funds the staff, activities and training provided by the Team.

14.2 The Team works closely with the multi-agency partners within the Sussex Resilience Forum (SRF) which provides pan Sussex emergency planning. Throughout the pandemic the Team has worked with colleagues within ESCC departments, the SRF and local and national partners via a number of working groups established by the SRF to work on the Covid-19 pandemic. This work ran alongside the normal work of the Team to deal with other emergencies and undertake planning around EU exit. Some of the Covid-19 work is still ongoing through the various working groups that were established. Lessons learnt exercises will be undertaken as part of the ongoing work.

14.3 Looking forward, the Team is looking to revise its approach to emergency planning 'business as usual' activities through work with SRF partners and ESREP. Planned work will include:

- The creation of an ESREP risk register
- Lessons learnt capture
- Consolidation of plans and exercises; and
- Exploring the use of new technological solutions.

14.4 At the beginning of the pandemic, ESCC was required to implement business continuity arrangements at speed. Most plans were able to flex to meet the organisation's requirements and most notably, the rapid move to working from home using agile technology. This enabled the Council to continue to provide services to residents whilst at the same time deal with the extra requirements of the pandemic. The corporate business continuity group will be reviewing business continuity measures and plans with all departments and ESREP partners, including any lessons learnt from the pandemic.

14.5 The Committee asked how the experience of volunteers who assisted with the work on the pandemic will be captured so that any learning and feedback can be incorporated into future plans. The Assistant Director Communities responded that volunteers played a crucial role in

supporting the response to the pandemic, and their experience as well as that of officers will be included in the lessons learnt exercise. In particular, the use and training of volunteers in response to a longer term incident or issue will be included in the review.

14.6 The Committee noted that the report also mentions climate change adaptation and resilience measures. The Committee asked how this will be embedded in future business continuity planning. The Assistant Director Communities commented that climate adaptation will be an area of focus of the work being undertaken by ESCC and ESREP when reviewing business continuity plans and will ensure it is embedded in all appropriate plans. It was confirmed that the updated plans can be shared with the Committee once the review is completed.

14.7 The Committee RESOLVED to:

- 1) note the actions taken during the Covid-19 Pandemic, and
- 2) note that lessons capture planning is in progress and the intended changes to future planning.

15. WORK PROGRAMME

15.1 The Chair introduced the report and outlined the purpose of the agenda item. The Senior Democratic Services Adviser summarised the outcomes of the work planning Away Day held by the Committee on 13 September 2021 for agreement by the Committee. He also asked whether the Committee wished to retain the update report on the Broadband Project and gigabit voucher scheme, and the desired timescale for the report.

15.2 The Chair asked the Committee to agree the membership of the re-established Highways Services Re-Procurement Project member reference group as set out in paragraph 2.2 of the report. The Committee agreed the membership of the reference group as being Councillors Beaver, Collier, Hollidge and Kirby-Green. The Committee requested that an initial meeting be arranged as soon as possible to understand the terms of reference and review the work to date.

Reference Groups and Scrutiny Reviews

15.3 The Chair outlined the proposed changes to the work programme, for agreement by the Committee. The changes are:

- To remove the following potential scrutiny review topics from the work programme:
 - ❖ Glover Report on the Landscapes Review (but will keep a watching brief for developments).
 - ❖ Highway Licence Fees
 - ❖ ESCC Communications and Marketing function
- To establish a Scrutiny Member Reference Group to work with officers on the revision of the Local Transport Plan (LTP4).
- To proceed to the scoping stage for a Scrutiny Review of Procurement, which will focus on the Council's approach to Social Value measurement and buying local initiatives.

15.4 The Committee agreed to remove the topics from the work programme and establish a reference group to work on the LTP and to undertake scoping for a Scrutiny Review of Procurement. A number of Committee members have already volunteered to take part in these

groups, and the Chair asked for further volunteers to put their names forward either at the meeting or afterwards via email.

Reports for Future Committee meetings

15.5 The Committee discussed a number of topics for reports to be presented at future committee meetings which is summarised below.

Trading Standards

15.6 The Committee commented that it was concerned about the impact of the proposed savings on the service and would like a report to provide some more information and assurance on the impact on the services. The Director of Communities, Economy and Transport suggested that the impact of the savings could be explored at the RPPR Board meeting in December. He noted that scams activity increased during the pandemic and therefore added to the Team's work. The impact of EU exit could be the subject of a later report, as some of the new border controls had been delayed until June/July 2022. The Committee agreed to receive further information on the impact of the savings under the RPPR item at the November 2021 meeting and include a report on the work of the Trading Standards Team in the work programme.

Emergency Active Travel Fund

15.7 The Committee discussed how it might be able to look at future projects and incorporate lessons learnt from tranche 1 and 2 projects. The Director of Communities, Economy and Transport commented that schemes would have been designed and implemented differently, with enhanced community engagement, but this had not been possible due to the constraints placed on the funding by central Government. The Local Cycling and Walking Implementation Plan (LCWIP), being considered by Cabinet in September, sets out the plans for walking and cycling infrastructure which aims to resolve the conflicts between different users. It is a better way to plan and implement walking and cycling schemes, as well as providing a sound basis for securing funding.

15.8 The Committee discussed the best way to include lesson learnt from the Active Travel Fund and the LCWIP in the work programme, as there were many good initiatives from the Emergency Active Travel schemes such as School Streets pilots and areas where engagement could be improved. The Committee agreed to initially include LCWIP and Active Travel as part of the LTP reference group to be explored through the scoping work. The LCWIP and Active Travel could be subject to a separate piece of work if Committee wishes to do more specific work on walking and cycling schemes.

Electric Vehicle (EV) Charging Points

15.9 The Director of Communities, Economy and Transport outlined that a strategic approach to EV charging needs to be taken to identify what type of chargers should be used to ensure compatibility, to determine where charge points should be provided, what route to market should be taken, and whether ESCC wishes to be a provider. This also has links to the LTP. The Committee noted that some local authorities were trialling the use channels across the pavement to allow charging cables from people's homes to be used. This and other innovations may also need to be considered. The Committee agreed to request a briefing on plans to develop and implement EV charging infrastructure in East Sussex, with a timescale of early to mid- November.

Economic Development

15.10 The Committee agreed to request a report on the Team East Sussex post pandemic Recovery Plan to gain an understanding of the planned economic development activity, and to have a report on how economic development and regeneration projects are selected and developed to understand how the projects that will have the most benefit are selected. The reports are to be presented at either the March 2022 or June 2022 committee meeting, subject to agreement with officers.

Broadband Project update and Gigabit Voucher Scheme

15.11 The Committee considered that it was important for the Committee to look at this topic and agreed to keep the report on the work programme and request an update report be presented to the Committee at the March 2022 committee meeting. This topic has links to transport issues and the LTP, as better broadband reduces the need to travel and also has links to mobile phone coverage.

Other items

Grass growing on pavements and in gullies

15.12 The Committee discussed the issue of grass growing on pavements and in gullies which presents a trip hazard and obstruction to people with buggies or who use mobility aids (such as wheelchairs and mobility scooters) as well as impeding drainage and increasing the risk of flooding. The Director of Communities, Economy and Transport outlined that there are mixed views on this. Some people want more weed control, others less or none. Weeds are treated once a year at present, but there are challenges in the use of herbicides such as glyphosate, and alternative methods may need to be sought. There have been petitions to ban the use of glyphosate and there is a Notice of Motion on this topic. The department has been undertaking work to cut verges less and to promote green verges. This would be a good topic for scrutiny to look at given the mixed views on this subject.

15.13 It was suggested that perhaps the Highways reference group could look at this and other pressing issues. The Director of Communities, Economy and Transport clarified the focus of the reference group is on the procurement of the new highways maintenance contract, but it could identify areas of policy that the Committee may wish to examine as part of a separate review.

Scrutiny Review of Road Markings second update report

15.14 It was agreed to defer the second update report from the November 2021 meeting to the March 2022 committee meeting.

15.15 The Committee **RESOLVED** to amend the Committee's work programme in line with paragraphs 15.2, 15.4, 15.6, 15.8, 15.9, 15.10, 15.11 and 15.14 above.

The meeting ended at 12.11 pm.

Councillor Matthew Beaver (Chair)