
REPORT OF THE CABINET

The Cabinet met on 18 July and 28 September 2023. Attendees: -

Councillor Glazier (Chair) (2)
Councillors Bennett (2), Bowdler (2), Claire Dowling (2), Maynard (2), and Standley (2).

1. Council Monitoring Q1 2023/24 Year End

1.1 The Cabinet has considered a report on the Council's position and year-end projections for the Council Plan targets, Revenue Budget, Capital Programme, and Savings Plan, together with Risks at the end of June 2023.

1.2 Broad progress against the Council's four strategic priority outcomes is summarised in paragraph 5 and an overview of finance and performance data is provided in the Corporate Summary at Appendix 1. Strategic risks are reported at Appendix 8.

Carry over report for Council Plan 2022/23

1.3 Outturns are now available for the four Council Plan measures for 2022/23, which were carried over from quarter 4. Measures are carried over when action has been completed but outturn data is not available for reporting at year-end. Outturns for these measures are provided in Appendix 3 Adult Social Care and Health and Appendix 4 Business Services Department. Overall, 70% of targets (38 of the 54 Council Plan measures) for 2022/23 were met or exceeded.

Council Plan 2023/24 amendments and variations

1.4 The Council Plan 2023/24 and the Portfolio Plans 2023/24 – 2025/26 have been updated with available 2022/23 outturns and final performance measure targets. All plans are published on the Council's website. The Corporate Summary (Appendix 1) contains a forecast of performance against targets.

1.5 The Strategic Risk Register, Appendix 8, was reviewed and updated to reflect the Council's risk profile. Risk 4 (Health), Risk 6 (Local Economic Growth), Risk 9 (Workforce) and Risk 15 (Climate) have updated risk controls. Risk 19 (Schools and Inclusion, Special Educational Needs and Disabilities (SEND)) has an updated risk definition. Risk 8 (Capital Programme) and Risk 20 (Placements for Children and Young People in Our Care) have updated risk definitions and risk controls. Risk 1 (Roads) has an updated risk control and post mitigation RAG rating.

Budget Outturn

1.6 The details of revenue over and underspends in each department are set out in the relevant appendices, and show a total forecast overspend of £16.8m. All departments are forecasting an overspend which reflects the challenging economic environment. The main headlines are:

- Children's Services (CSD) is forecast to be overspent by £15.2m. The main area of projected overspend is in Early Help and Social Care of £16.4m, the largest area of overspend is Looked After Children (£14.2m), the main pressures being External Residential costs of £12.7m due to growth in demand with an additional 26 children and young people requiring residential placements in quarter 1, plus a £1.8m pressure around additional staffing costs in our children's homes.

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Also within Early Help and Social Care, the Localities budget is forecast to be £1.6m overspent, £1.0m being on staffing including agency.

The service proposes to address the projected Looked After Children overspend primarily through a series of recommendations by consultants IMPOWER.

The CSD overspend will be mitigated Corporately for 2023/24 as follows:

Mitigation of CSD Overspend	£m
Forecast overspend	(15.2)
Mitigated by:	
General Contingency	4.9
Covid-19 General Funding (balance held Corporately)	5.6
Use of provision for budgetary risks	1.7
Part of TM underspend	3.0
Subtotal Mitigation	15.2

- The projected outturn for Adult Social Care (ASC) is an overspend of £1.0m. This comprises an overspend of £1.9m in the Independent Sector, offset by an underspend of £0.9m in Directly Provided Services with the latter mainly being due to staffing vacancies.
- Communities, Economy and Transport (CET) is forecast to overspend by £0.3m. The largest overspend is in Planning and Environment where additional transport planning applications, appeals and remodelling work has resulted in an increased cost of consultants, and Environmental Advice income from other local authorities has not materialised. This is offset by an underspend in Communities, mostly due to staff vacancies in Trading Standards and additional income from Emergency Planning training.
- Business Services (BSD) is forecasting a small overspend of £0.009m. There is an unachieved savings target of £0.2m relating to the expected move from St Marks House, Eastbourne; following the fire on site, it is unclear whether the savings can be realised in this financial year though further information will be provided in quarter 2 as the situation unfolds. This is offset by underspends across the department.
- The forecast overspend of £0.4m in Governance Services (GS) is mainly due to an increase in the number of deaths being reported to the Coroner and the increase in the number of those deaths that went to post mortem. The rise in post mortems directly increases mortuary, pathology, histology, and toxicology costs. There has also been an increase in post mortem fees in-line with local market rates.
- The ongoing impact of the reported overspend has the potential to increase the Council's budget deficit in 2024/25, which had been assessed at £4m when the Council's State of the County report was published in June. Modelling is currently being undertaken to provide a set of balanced budget scenarios, taking into consideration the local and national position that presents itself as we work towards setting the budget for 2024/25.

1.7 Within Treasury Management (TM), centrally held budgets (CHB) and corporate funding there is an underspend of £11.2m (including the general contingency):

- In CHB there is a forecast underspend of £0.5m for Pensions as a result of the actuarial revaluation; this is offset by an accounting adjustment estimated at £0.3m to reflect the potential risk that increasing outstanding debt levels will not be settled. The General Contingency of £4.9m will be required in full to offset part of the service overspend.
- There is currently an estimated £4.3m underspend on TM, based on an improvement in the current forecasts for our market investment returns and increased cash balances. The anticipated average investment return for the year has increased to 5.49% from the 4.45% assumed when the budget was set, based on the latest forecasts from our external treasury

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management advisors. In addition, slippage on the capital programme and an increase in our cash balances has reduced the need to borrow externally in 2023/24.

- There is a planned £1.7m use of the in-year provision made for budgetary risks to cover part of the remaining overspend on service budgets.
- Corporate Funding budgets are underspending by £0.1m as central government announced an increase to the 2023/24 Services Grant allocations above the provisional settlement proposals by distributing unused contingency, resulting in an increased allocation compared to the original budget.

1.8 The Council is still experiencing residual COVID-19 related costs and income losses which are being fully mitigated from general and specific funding; the balance of un-ringfenced general funding is being used mitigate CSD overspends. The following table shows the use of this funding in 2023/24:

COVID-19 Grants 2023/24 (£m)	Carried forward	Estimated use in-year (including payback*)	Balance to offset CSD overspend	Specific set-aside for LAC in future years	Estimated balance remaining
COVID-19 General Funding	9.1	(1.7)	(5.6)	(1.8)	-
COVID-19 Specific Funding	4.3	(3.5)	-	-	0.8
Total funding	13.4	(5.2)	(5.6)	(1.8)	0.8

- *To date the Council has repaid £2.1m of unused grant

1.9 Capital Programme expenditure for the year is projected to be £96.3m against a budget of £104.5m, a net variation of £8.2m. Of the net variation, £4.8m relates to Local Enterprise Partnership (LEP) funded projects. Main variations include:

- Bexhill and Hastings Link Road – Project costs remain for post excavation archaeology, landscaping, and remaining compensation. There is a projected overall overspend on the scheme in the region of £2.1m, of which £0.8m is expected to materialise during 2023/24.
- Special Educational Needs Additional Places (Grove Park) – Slippage of £4.4m. A contractor has recently been appointed to progress with feasibility and detailed design works which has resulted in an updated high level programme plan, with the bulk of the works due to commence in 2024/25. In addition, a recent ecologist visit identified key risks that require mitigation plans to be considered which may cause delays to the project plan.
- Hastings Bexhill Movement and Access Programme (LEP funded project) – Slippage of £4.1m. Funder approval from the South East Local Enterprise Partnership is now anticipated in autumn 2023, to be followed by Lead Member sign off, following a requirement to undertake a prioritisation process.

1.10 The Chartered Institute of Public Finance and Accountancy published the revised Treasury and Prudential codes in 2021, which now requires quarterly reporting of performance against forward looking prudential indicators. The performance of the Council's treasury management activity, against benchmarks and the key indicators in the Council's Treasury Management Strategy, as approved by Full Council at its meeting of 7 February 2023, are provided at Appendix 2.

Progress against Council Priorities

Driving sustainable economic growth

1.11 The Council has spent £309m with 884 local suppliers over the past 12 months, 66% of our total spend, exceeding our target of 60%. We have continued throughout quarter 1 to work with suppliers to maximise the social value delivered by our contracts. In quarter 1 we

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achieved benefits that were equal to 19% of our spend, against an annual target of 10% (Appendix 4).

1.12 The Council approved additional funding for highways in July, recognising the deterioration of the network following the last prolonged, wet and cold winter. The additional funding includes an additional one off £2.5m for carriageway patching works, an additional one off £3.1m for drainage works, an additional £5m per year for two years for carriageway repairs, plus a proposed additional £5.1m per year for the capital programme for roads. Additional patching sites have been identified and works instructed using the additional £2.5m. Work has also continued in quarter 1 to replace worn out road signs and to refresh road markings using the one-off funding carried forward from 2022/23. A number of large surfacing schemes have been completed or are underway in Wivelsfield, Uckfield, Hartfield and Hailsham. Preparation works are also underway for the start of the surface dressing programme in quarter 2. 16 road improvement schemes were completed in quarter 1 to improve the condition of the roads. 7,250 potholes were repaired in quarter 1, with 6,500 of these being carriageway potholes; the remainder were primarily footway potholes (Appendix 6).

1.13 The Council is working to build apprenticeships into career progression for staff at all levels, to provide more skills for our employees and address recruitment and retention challenges. The Apprenticeship Team are holding regular information sessions for staff and the level of interest has been encouraging (Appendix 6).

1.14 The Youth Employability Services has been re-commissioned, with the new contract starting on 1 October 2023. The new contract will have an increased focus on those young people who are Not in Education, Employment or Training. More targeted and intensive support will be provided for some of our most vulnerable young people (Appendix 5).

1.15 837 people enrolled on Family Learning Programmes in our libraries in quarter 1. Wadhurst library has re-opened after flooding in 2022/23, the team took the opportunity to refurbish the library updating the furniture, fixtures and equipment. Renowned children's author Jacqueline Wilson visited Seaford Library in April 2023 to discuss with children what it's like to be an author and share her new book (Appendix 6).

Keeping vulnerable people safe

1.16 The demand for Children's Social Care and complexity of cases has continued to increase in quarter 1. The rate of children with a Child Protection (CP) plan fell from 64.8 per 10,000 at the end of 2022/23 to 62.1 in quarter 1. However, the rate of Looked After Children (LAC) has increased from 62.3 per 10,000 children at the end of 2022/23 to 63.5 in quarter 1. CP plans remain under review with a range of audits taking place to identify where it's possible to safely reduce the number of plans. Demand for LAC placements has increased alongside a reduction in the number of in-house and agency foster care placements available. This has resulted in more children having to be placed in external residential homes at a much higher cost (Appendix 5).

1.17 The Council and Get Safe Online (GSO) promoted a number of online safety campaigns in quarter 1. These included advice on how someone's online history can potentially be seen by other people, or tracked and held in multiple databases; advice on how to use smart devices safely and securely; and advice on how to support children to enjoy a safe and secure online experience (Appendix 3).

1.18 Trading Standards made 117 positive interventions to protect vulnerable people in quarter 1. 83 of these were support sessions and training, and 34 were direct interventions. National Scams Week took place during quarter 1, which enabled Trading Standards to engage with vulnerable people and try to reduce the likelihood of them falling victim to scammers or becoming repeat victims. 27 of the direct interventions involved fraudulently obtained money being returned to victims (Appendix 6).

Helping people help themselves

1.19 A joint five-year Sussex Shared Delivery Plan was endorsed in June 2023 by the Council and the East Sussex Health and Wellbeing Board. The plan brings together delivery milestones for 2023/24 and a roadmap for years 2 – 5. The delivery milestones cover ongoing priorities for children and young people and mental health services, as well as new plans that have been shaped by our East Sussex Health and Care Partnership (Appendix 3).

1.20 Two Family Hubs are now open in Hailsham and East Hastings, with further hubs scheduled to open over the summer. Professionals who will offer support from the new hubs include Midwives, Health Visitors and Early Communications Support Workers amongst others. The hubs will give children and parents the chance to socialise and support their children's needs and development (Appendix 5).

1.21 The Public Health 'Healthy Places Team' was highlighted as one of the three best practice case studies across England in a report by the Quality-of-Life Foundation in quarter 1. The report focuses on work done to help embed health in planning decisions through our collaborative relationships with partners (Appendix 3).

1.22 Quarter 1 saw a transition process from the old highways contract to the new contract with BBLP. 17 road safety infrastructure schemes have begun and are expected to be completed by the end of quarter 2. Seven further schemes have been submitted to our new contractor, Balfour Beatty Living Places (BBLP), and will be implemented by the end of 2023/24. We delivered 184 'Bikeability' courses to 1,577 individuals at participating schools and the Cycle Centre at Eastbourne Sports Park in quarter 1. We also delivered 60 'Wheels for All' sessions to 704 attendees at the Sports Park (Appendix 6).

1.23 31% of eligible clients were receiving Direct Payments at the end of quarter 1, equating to a total of 1,543 people. The number of people receiving direct payments has increased since the end of 2022/23, however the total number of people receiving care has increased at a much greater rate and this has resulted in a drop in reported performance. Direct Payments are always considered when deciding how to meet an adult's care needs and identified outcomes and are offered as an option where appropriate, although, of course, the person does not have to choose this option (Appendix 3).

Making best use of resources now and for the future

1.24 We have continued work to develop a range of initiatives to help address our significant recruitment and retention challenges as a result of the current labour market conditions and cost of living pressures in quarter 1. Our new employer recruitment brand 'We Choose East Sussex' has continued to progress, with the creation of new content for the Council's job pages (Appendix 4).

1.25 Staff sickness absence decreased by 14.8% in quarter 1, compared to quarter 1 2022/23. The main reason for the decrease is a significant fall in COVID-19 absences. However, mental health absences have increased compared to quarter 1 2022/23, so additional support was put in place in quarter 1, such as extra support being offered to staff when they report a mental health absence; raising awareness of mental health support available through a number of channels; and a men's health campaign in June, which included a film focused on mental wellbeing. GoodShape data indicates that increased mental health absences are occurring across the local authority sector, and our absence rates are within the averages seen in other authorities (Appendix 4).

1.26 A number of energy efficiency projects were completed in quarter 1, including one LED lighting project and two Solar PV schemes. A number of other schemes have started installation. Four heat decarbonisation schemes also began in quarter 1. Although we have made good progress in quarter 1 there are challenges relating to supply chain and capacity in the wider sector that may affect our ability to deliver our target number of schemes for the year. The data on carbon emissions from Council buildings is available a quarter in arrears.

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The final outturn for 2022/23 shows there has been a 32% reduction in carbon emissions against the 2019/20 baseline year, below the target of 34%. Improved management of buildings to reduce energy usage, and more typical weather compared to the unexpectedly low average minimum temperatures experienced in 2021/22, contributed to the reduction. However, the need to provide ventilation in our buildings as part of COVID-19 safety measures is still adversely affecting our overall reduction. The reduction in emissions resulting from energy efficiency projects completed towards the end of 2022/23 will be realised during 2023/24, which is expected to assist in securing our 2023/24 target of a 43% reduction on baseline year (2019/20) emissions (Appendix 4).

1.27 The Council has continued to work with a range of partners to develop and deliver carbon reduction and climate change adaptation work in quarter 1. We assisted 44 Small and Medium Enterprises (SMEs) to measure their carbon footprint and awarded grants to 21 SMEs to improve energy efficiency and install renewable energy systems, which will reduce their energy bills (Appendix 6).

1.28 As part of our corporate lobbying work during quarter 1 the Leader took the opportunity to meet with Local MPs to discuss the latest priorities for the Council and residents including on local authority funding and highway conditions. The Leader also co-signed a letter, with other county council Leaders in the region, to the Prime Minister. The letter raised the significant under-funding for highways maintenance. It also called for greater oversight of the work of utilities companies on the roads. Further engagement with the Minister for Roads is expected as a result of this correspondence (Appendix 7).

1.29 Council considered the State of the County report in July. The report sets out the uncertainty which continues to define the context within which we are working. The challenging national economic environment continues to impact on residents and the Council. Many of our services are subject to significant national reforms, and there is still increased demand for local services. The report also outlines the broader demographic and policy context which will form the backdrop for planning for 2024/25 and beyond. The financial outlook for the Council remains unclear. We expect a further one-year financial settlement for 2024/25. It is also unlikely there will be any significant national reforms to local government funding before the next general election, which is expected in 2024. In this context, we will need to continue to take proactive action to prepare for the time ahead, to maximise our resilience as an organisation and to best manage growing demand for our services (Appendix 7).

1.30 In the context of ongoing uncertainty and increasing demand for our services, a clear and current understanding of the views and priorities of people who live and work in East Sussex is important to inform our planning for the future through RPPR, and our approach to ensuring best value. As part of ongoing planning for 2024/25 and beyond, it is proposed to undertake a broader engagement exercise this autumn to seek additional feedback directly from local people on priorities and financial choices. This survey, alongside our RPPR engagement with key partners and groups representing local communities, will provide valuable additional insight to inform Cabinet recommendations and Council decisions on our budget and Council Plan in early 2024.

2. Scrutiny Review of Equality and Inclusion in Adult Social Care and Health

2.1 The Cabinet has considered a report of the People Scrutiny Committee on its Review of Equality and Inclusion in Adult Social Care and Health (ASCH). The report of the Scrutiny Committee is included elsewhere on the agenda (item 8).

2.2 In July 2022 the People Scrutiny Committee agreed to establish a Review Board to undertake a Scrutiny Review of Equality and Inclusion in Adult Social Care and Health. The review focussed on identifying key communities that ASCH seldom hears from but should, barriers preventing groups and people from accessing services, and how ASCH can reduce those barriers and improve its engagement with those groups.

2.3 The Scrutiny Review of Equality and Inclusion in ASCH is welcomed by the Department and in particular to ensure we improve staff knowledge, delivery and accessibility of our services.

2.4 It was considered by the Review Board that dissemination of findings of the report, as well as ensuring continuous engagement with trusted partners and intermediaries, is an important aspect of implementation of the recommendations. The Review Board stressed ensuring the department give feedback to our seldom heard people on how their feedback is utilised in the development of services and policies.

2.5 The Review Board recognised the cross-council approach needed to implement some of the recommendations and has asked the department to work with Corporate Equality Diversity and Inclusion Board to ensure consistency of approach.

2.6 The Scrutiny Review has highlighted a range of recommendations, many of which recognise the work already underway and the need to continue to build on that. All of these recommendations are considered positive and reflective of the direction of travel for the Department, and the Department considers that the recommendations are realistic and achievable.

2.7 In welcoming the findings of the Scrutiny Committee, the Cabinet has considered a report by the Director of Adult Social Care and Health (as set out in Appendix 9) on the specific recommendations and endorsed it as its response to the recommendations.

2.8 The Cabinet, in welcoming the report, recommends the County Council to –

☆ approve the response of the Director of Adult Social Care and Health on the implementation of the recommendations in the Scrutiny Committee's report.

3. Annual Progress Report on the County Council's Climate Emergency Plan

3.1 The Cabinet considered an annual progress report on the County Council's Climate Emergency Plan.

3.2 In October 2019 the Council declared a climate emergency. It set a target of achieving carbon neutrality from its activities as soon as possible and in any event by 2050 and committed to reporting annually to full Council on its progress towards meeting this target. Appendix 10 sets out the draft progress report.

3.2 In October 2019 the Council agreed the following Motion, that the Council:

(i) supports the aims and implementation of the UN Sustainable Development Goals.

(ii) recognises and declares a Climate Emergency.

(iii) will set a target of achieving carbon neutrality from its activities as soon as possible and in any event by 2050, in line with the new target for the UK agreed by Parliament in 2019.

(iv) will build upon the work we have undertaken to date, will commit resources where possible and will align our policies to address the Climate Emergency.

(v) will set out a clear plan of action to reduce our carbon emissions.

(vi) will report annually at the May Council Meeting on its progress towards the target.

(vii) will investigate all possible sources of external funding and match funding to support this commitment, as well as writing to central government with respect to the emergency to request funding to implement swift appropriate actions.

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(viii) will use our Environment Strategy to provide a strong unified voice in lobbying for support to address this emergency, sharing best practice across East Sussex and more widely through other partners.

3.3 In line with the commitment made in the Motion agreed in 2019, Cabinet agreed a Climate Emergency Plan in June 2020, which set out how the organisation would continue to reduce its carbon emissions, building on work undertaken since the first Carbon Management Plan was put in place in 2009. The Action Plan covered 2020-22 and set out the scale of the Council's carbon footprint, described the carbon budget that the Council will aim to keep within, and included a set of actions. In 2021-22 Cabinet agreed a further £9.945m to support the work to enable the Council to become carbon neutral and agreed that climate change be considered a basic need requirement within the Council's Capital Programme and Capital Strategy. Climate change has been embedded in the Council Plan (section 4.1 and 'making best use of resources' targets) and is recognised as a strategic corporate risk. In February 2023 an updated corporate Climate Emergency Plan, covering 2023-25, was agreed by full Council.

Assessing the Council's Carbon Emissions

3.4 A clear understanding of the carbon emissions generated by our activities is a key foundation for working towards carbon neutrality. The corporate Climate Emergency Plan sets out the carbon emissions from the Council's activities using the Greenhouse Gas (GHG) Protocol, an accepted global standard for measuring and reporting on an organisation's GHG emissions. The Protocol divides GHG emissions into three categories, referred to as Scope 1, 2 and 3. Together, these represent the total GHG emissions related to an organisation and its activities. Each scope covers the following emissions:

- Scope 1 – emissions from the combustion of gas, oil, petrol, diesel, coal, or wood. For the Council this covers buildings and vehicles where the Council is responsible for paying for the fuel.
- Scope 2 – emissions from the electricity purchased by the Council.
- Scope 3 – emissions that result from all other activities of the Council. There are 15 different scope 3 categories defined in the Protocol, some of which do not apply to a local authority (e.g. emissions from manufactured goods). The categories that do apply include emissions from business travel, water usage, waste, procurement and staff commuting. In other words, the Council's scope 3 emissions mostly comprise the scope 1 and 2 emissions of other organisations (e.g. contractors).

3.5 The Council has measured scope 1, 2 and some scope 3 emissions since 2008-9. Data on scope 1 and 2 emissions is of higher quality than data on most scope 3 emissions, largely because the Council relies on third parties to provide their carbon emissions under scope 3. The Climate Emergency Plan highlights that scope 3 emissions are by far the largest part of the Council's estimated carbon footprint, notably through the supply chain i.e. the goods, works and services that are purchased by the Council in order to deliver its statutory functions. This is typical for a local authority, as most of the Council's revenue and capital budgets are used to procure goods, works and services from third parties. For an upper tier authority this includes major services such as highways maintenance, waste disposal, and education, as well as social care provision commissioned from a myriad of relatively small independent providers. The Climate Emergency Plan also highlights that the largest proportion of scope 1 and 2 emissions is from schools. Overall, this means that the majority of carbon emissions generated by the Council's activities are from sources over which the Council has influence but limited direct control.

3.6 The Council therefore has a large and complex carbon footprint. Further work is being carried out to quantify scope 3 emissions, notably from our extensive supply chain, before they can begin to be integrated reliably into the Council's carbon footprint and targets set.

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Consequently, the Climate Emergency Plan focusses primarily on reducing scope 1 and 2 emissions, for example carbon emissions from buildings. This is also typical for most local authorities.

Working Towards Carbon Neutrality From Our Activities

3.7 The approach adopted in the Climate Emergency Plan is that, in order to make its fair contribution to reducing county-wide emissions, the Council will aim to cut its own emissions in half in the 5 years between 2020-25. This is based on a recognised methodology developed by the UK's Tyndall Centre for Climate Change Research for calculating the carbon budget by local authority area. A carbon budget represents the total quantity of greenhouse gases which can be released to the atmosphere if we are to contain temperature rises to a given level – this can be calculated globally and then broken down into national and sub-national budgets. The Tyndall model, based on current scientific understanding, indicates that to stay within a budget based on a rise of no more than 1.5 degrees centigrade above pre-industrial levels (as set out in the UN Paris Agreement on Climate Change) requires cutting emissions from East Sussex by half every 5 years.

3.8 This science-based reduction target is what the Council is working towards, rather than a fixed end date by which it will become carbon neutral. This approach is in line with advice to Councils from the Local Government Association, which has stated that: *“There is no science to picking an end year where emissions are zero. Setting a target year by which emissions will be zero can be symbolically important. However, what counts is the trajectory of the commitments to carbon reduction between now and the target zero emissions year. This defines the actual level of emissions reduction being promised over the budget period. This is what matters to climate change”*.

3.9 Cutting emissions in half every 5 years is extremely challenging. This is highlighted by modelling carried out by independent experts in 2022, which indicated that the Council would need approximately £200m up to 2050 to pay for capital intensive interventions to keep within the science-based target for just its scope 1 and 2 emissions. Many of the simpler and cheaper measures, and those within the Council's direct control, have already been implemented through the Council's carbon reduction programme that has been delivered for many years and which is summarized in Appendix 10. In addition, the last year has seen significant cost increases through the supply chain, as well as delays to delivery with some projects due to bottlenecks in the supply of particular items and the limited availability of consultants and contractors with the right skills and experience. Some of these pressures have been partly mitigated by the Council successfully securing £1.9m of additional external funding since 2020. Bids for further external funding continue to be made, however there is intense competition for funding. In view of the challenging financial position for local government, which is highlighted in the Council's State of the County report in June 2023, lobbying of government to encourage larger scale and longer-term sustained funding for public sector decarbonization has also taken place.

3.10 Despite the challenging circumstances, the Council is performing well against the five year science-based carbon reduction target for scope 1 and 2 emissions covering 2020-25. Appendix 1 illustrates that the Council has reduced its emissions by 32% between 2019-20 and 2022-23, against the cumulative target of 34%. This is a shortfall of 316 tonnes of CO₂e, which is equivalent to the average carbon reduction achieved from three heat decarbonization schemes. The 32% reduction has largely been achieved through a combination of the carbon reduction measures that the Council has invested in, the decarbonization of the national electricity grid and changes to the Council's buildings portfolio. This is against a backdrop during which national greenhouse gas emissions increased by 10% between 2020 and 2021 and by 1% between 2021 and 2022, largely as a result of a post pandemic rebound in economic activity (national data are not yet available for 2022-23). Other local authorities do not yet appear to have reported publicly on their performance in 2022-23, so it's not currently possible to compare the Council's performance with that of other local authorities.

3.11 Progress towards becoming a carbon neutral council is overseen by the Climate Emergency Board, which has senior representatives from every department and is co-chaired by the Chief Operating Officer and the Director for Communities, Economy and Transport. Reporting on progress is made quarterly to the Corporate Management Team, annually to Full Council and is published on the Council's website.

3.12 The Council has recognised the severity of the climate crisis by declaring a climate emergency, by setting a clear science-based target and by committing an additional £9.9m of funding up to March 2025 to cutting corporate carbon emissions. The scale of the Council's functions and the diversity of providers the Council works with makes this a complex and substantial task. Significant work has already been undertaken to reduce emissions and will continue to be undertaken. The report sets out the further progress made during 2022-23.

4. East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Review

4.1 The Cabinet considered a report on East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan review.

4.2 East Sussex County Council work in partnership with the South Downs National Park Authority and Brighton & Hove City Council (the Authorities) in the preparation of minerals and waste planning policy for East Sussex, Brighton & Hove and the area of the National Park within the County and City. Together, the Authorities have prepared the Waste and Minerals Plan (WMP, 2013), and the Waste and Minerals Sites Plan (WMSP, 2017). These adopted plans form the Waste and Minerals Local Plan (WMLP) which is used by each of the Authorities in the determination of planning applications for waste management activities, and minerals extraction and infrastructure in the Plan area. The WMLP forms part of the Development Plan and is, therefore, also applicable to the District and Borough Councils as local planning authorities.

4.3 Over the past few years, the Authorities have been undertaking a partial review of the WMLP (primarily focussed on minerals planning matters) and in November 2022 the proposed Waste and Minerals Revised Policies document was subject to an independent Examination in Public, which was conducted by two Examining Inspectors from the Planning Inspectorate. The Inspectors raised no concerns over the soundness of the majority of the Revised Policies document and no concerns around legal compliance were raised. However, and as is always tends to be the case with Local Plans, the Inspectors have requested that the Authorities propose some modifications to certain policies to ensure that the Plan can be found 'sound' and subsequently adopted by the Authorities.

4.4 Officers have drafted a series of modifications to the plan to address the matters raised by the Inspectors. These modifications now need to be subject to a formal period of consultation and Cabinet/Council approval is required to enable this to take place. The South Downs National Park Authority and Brighton and Hove City Council will also need to approve the publication and consultation of the modifications.

4.5 Separate to the matter concerning the proposed modifications to the Waste and Minerals Plan, the Council needs to put in place a new and updated Statement of Community Involvement (SCI). The SCI sets out how the County Planning Authority will consult and involve the public and various interested organisations in the preparation of any new/revised Waste and Minerals Plan that we prepare. It also sets out arrangements for community involvement in the consideration of planning applications the County Council is responsible for determining. The current iteration of our SCI was adopted in March 2018 and the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012 requires an SCI to be reviewed every five years.

Supporting information

4.6 The modifications being proposed to the Submission draft of the Revised Policies document are only in response to the issues raised by the Inspectors and/or to reflect any updated policy and guidance. It would not be appropriate to introduce modifications and/or additions to the Plan that fall outside of this scope. To do so would risk the Examination period for the Plan being further protracted, or even undermine the likelihood of the Plan being found to be 'sound' and therefore capable of being adopted by the Authorities for decision making purposes. The Council is committed to commencing a Full Review of the Waste and Minerals Local Plan in mid 2024, with the aim of progressing it through to adoption in 2027. This Full Review will provide an opportunity for new and altered policies to be considered, which currently fall outside of the scope of the modifications being proposed.

4.7 The proposed modifications are set out as track changes in full in Appendix 11 of this report. In summary, the modifications being proposed are;

- To reduce the end of the Plan period from 2034 to 2030 so that it is consistent with the existing WMLP. Such a change has necessitated the need for proposing changes to certain policies (e.g. previously quoted figures for matters such as aggregate need have been recalculated to account for the shorter plan period).
- Setting out clearer explanation that justifies the figures for aggregate need over the plan period.
- Amendments to policies concerning safeguarding of minerals resources and associated infrastructure, as well as the policy and supporting text that sets out requirements for when Local Planning Authorities consult the Minerals Planning Authority on non-mineral related development proposals in the safeguarded areas.
- Set out the commitment to a full review of the WMLP once this partial review has been completed, as well as the timescales for doing so.
- Provide further clarity on how certain proposed revised policies will be applied in practice.

4.8 The proposed modifications do not include any additional waste or minerals allocations. The modifications also do not propose to amend the policy direction that seeks to ensure the sustainable use of aggregate in new developments. Should approval to publish the proposed modifications be given, the consultation period is expected to commence on the 27 October 2023 and end on the 22 December 2023. Any representations made will be for the Inspectors to consider and only once they have had a chance to review these will we know if any further hearing sessions will be held as part of the Examination process.

4.9 The proposed modifications have been informally shared with the Inspectors, who have subsequently commented that, "*following minor revisions to the draft Main Modifications (MMs), the Inspectors are content that these are in a suitable form to be used for public consultation subject to prior completion of a Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA). There is no need for the SA and HRA of the MMs to have received any prior comment from the Inspectors in advance of the commencement of the consultation process.*" The proposed modifications have been subject to a Habitats Regulation Assessment, as well as the Sustainability Appraisal process. Updates and addendums to the Habitats Regulation Assessment and Sustainability Appraisal will be published for consultation alongside the Proposed Modifications.

4.10 At the same time as the proposed modifications are consulted upon, it is proposed that the County Council also consults on a revised draft of its Statement of Community Involvement (SCI). The existing SCI has been reviewed and given that the consultation approaches outlined have been considered effective, very few changes are being proposed to the revised SCI at this stage. Changes that are being suggested include making greater use of engagement and consultation through technology and ensuring that any updated legislation that concerns consultation on planning matters is fully reflected in the SCI. Appendix 12

contains the revised draft of the SCI, with the changes that are being proposed being shown as track changes.

4.11 With the Waste and Minerals Revised Policies document now at the Examination stage, it is clear that the Authorities are at a significantly advanced stage in the preparation of this Plan. To enable the Examination to be concluded, and a positive outcome to be reached by the Planning Inspectors, some modifications need to be made to the version of the Plan that was originally submitted for Examination. The Authorities need to give interested parties the opportunity to comment upon these proposed modifications and, should such comments be forthcoming, it will be for the Inspectors to consider these as part of their considerations of the Plan.

5. Ashdown Forest Trust Fund

5.1 The Ashdown Forest Trust, a registered charity, was set out by declaration of Trust in 1988. East Sussex County Council is the trustee and agrees grants made to the Ashdown Forest Conservators, from the Ashdown Forest Trust Fund.

Supporting Information

2021/22 Accounts

5.2 Subsequent to the 2021/22 accounts being approved, the independent Examination process has now been completed in accordance with Section 145 of the Charities Act 2011.

5.3 The Examiner's report is attached as Appendix 13. It does not identify any issues that require any further action by the Council as the trustees.

2022/23 Accounts

5.4 The Trust's Income and Expenditure Account and Balance Sheet are set out in the attached at Appendix 13. The Income and Expenditure Account shows a surplus in 2022/23 of £5,019.

5.5 The main sources of income to the Trust are rental income from the Royal Ashdown Golf Club at £70,000 per annum and bank interest, which has seen a significant increase, reflecting the rise in base rates.

5.6 The expenditure primarily relates to the £65,100 grant paid to the Ashdown Forest Conservators, with remaining expenditure being audit fees.

5.7 The accumulative General Reserve totalled £172,088 at 31 March 2023.

5.8 A formal annual report and statement of accounts will be compiled in accordance with the Charity Commission's Statement of Recommended Practice (SORP) by the end of January 2024, once the Independent Examiner report has been received.

5.9 The trust made an operating surplus of £5,019 during 2022/23. The General Reserve as at 31 March 2023 amounts to £172,088. This fund is available to finance expenditure which meets the Trust's objectives.