
EAST SUSSEX COUNTY COUNCIL

MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held at COUNTY HALL, LEWES on TUESDAY, 8 DECEMBER 2009 at 10.00 am.

Present Councillors Barnes, Belsey, Bennett, Bentley, Birch, Dowling, Elkin, Ensor, Fawthrop, Field, Freebody, Freeman, Gadd, Glazier, Harris, Heaps, Howson, Hughes, Jones, Kenward, Lambert, Livings, Lock, Maynard, O'Keeffe, Ost, Pragnell, Reid, Rodohan, Rogers OBE, Scott, D Shing S Shing, Simmons, Sparks, Stogdon, St Pierre, Stroude, Taylor, Thomas, Thompson, Tidy, Mrs Tidy, Tutt, Waite, Webb and Whetstone.

37 Minutes of Last Meeting

29.1 RESOLVED - to confirm the minutes of the meeting of the County Council held on 13 October 2009 as a correct record.

38 Apologies for absence

30.1 Apologies were received from Councillors Daniel and Healy

39 Chairman's Business

LOCAL GOVERNMENT CHRONICLE

39.1 The Chairman announced that a team from East Sussex County Council had again won the Local Government Challenge. This was a management competition where teams from local authorities across the UK compete as the 'Chief Officer Management Team' of a fictitious council. The members of the team this year were Roger Williams, Claire Crouch, Sarah Crouch, Peter Holman, Paul Barnard and Mark O'Brien from the East Sussex Fire and Rescue Service. The team had been coached by Leatham Green. The Chairman presented them with the trophy and congratulated them on their achievement.

GREEN APPLE AWARD

39.2 The Chairman announced that the Compost Doctor Service had won a Gold award in this year's Green Apple Awards for Environmental Best Practice & Sustainable Development. The Gold Green Apple had been awarded to the Council by the Chartered Institute of Wastes Management in the Local Authorities category. The Chairman congratulated the Compost Doctors and presented the award to Gill Wheeler and Richard Shipp from the Transport and Environment Department.

NEXT GENERATION NETWORK (NGN)

39.3 The Chairman announced that school pupils in East Sussex were now benefiting from improved classroom technology following an IT upgrade project recently completed by the County Council. The NGN had delivered faster Internet broadband speeds for schools and allowed pupils and staff to share their work electronically via the Schools Learning Platform. The initiative had helped schools to meet and exceed national technology standards and had provided capacity for future developments in classroom e-learning. The Chairman thanked Councillor Tidy and all the officers involved in this achievement.

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CHAIRMAN'S ACTIVITIES

39.4 The Chairman listed some of the events he and the Vice-Chairman had attended since the last council meeting. They included a range of events and ceremonies across East Sussex.

PRAYERS BEFORE COUNCIL MEETINGS

39.5 The Chairman thanked the Revd Geoff Daw, the Rural Dean of Lewes and Seaford for leading the prayers before the Council meeting.

PETITIONS

39.6 The Chairman informed the Council that immediately before the meeting he had received petitions from members as follows:

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| Councillor Barnes | - | Calling upon the County Council to introduce lower speed restrictions along the A265 through Burwash, Burwash Weald and Burwash Common |
| Councillor Barnes | - | Calling upon the County Council, as a matter of urgency, to consider and act on the installation of speed restriction measures for the village of Etchingham |
| Councillor Lambert and Ost | - | Calling upon the County Council to use the money from the sale of Elm Court to be re-invested in building a new Youth Centre in Seaford and work with local partners to identify a suitable site |
| Councillor O'Keeffe and St. Pierre | - | Calling upon the County Council to rebuild and extend the pavements on either side of Station Street, Lewes and, as part of this process, to do everything possible with respect of pavement furniture to ensure pedestrians have safe passage between the town and station along a steep and busy street |
| Councillor Scott | | Opposing the closure of Filsham Valley School and the opening of an Academy in its place |

40 Questions from Members of the Public

40.1 Copies of questions asked by Mr Harmer of Mountfield Parish Council, C Hallamby of Mountfield; B Hill of Ripe; M May of Polegate; J Gidlow, C Gidlow, K Forward, M Flanagan, E Bacon, J McTaggart, K Maitland, D Flanagan, M Britt, D Wordley, all of St Leonards on Sea; A Roberts, N Roberts, T Forward and P Donohue of Hastings and the answers by the relevant Lead Cabinet Members are attached to these minutes. Supplementary questions were asked by six of the questioners and responded to.

MINUTES

41 Reports

INTERESTS

41.1 The following member declared personal interests in the paragraph indicated:

<i>Member</i>	<i>Position giving rise to interest</i>	<i>Agenda item</i>	<i>Whether interest was prejudicial</i>
Councillor Barnes	Chairman of the East Sussex Downs and Weald Primary Care Trust	Cabinet report, paragraph 1	No

CALLOVER

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

Cabinet	- paragraphs 1, 3 and 5
Lead Member for Transport and Environment	- paragraph 1
Sussex Police Authority	- paragraphs 1 and 5

NON-RESERVED PARAGRAPHS

41.3 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.

42 Cabinet Report – Reserved Paragraphs

Notices of Motion: 10:10 climate Change campaign

42.1 Councillor Jones moved paragraph 3 of the Cabinet's report.

42.2 The following amendment moved by Councillor Birch and seconded was LOST:

'This Council agrees to sign up to the 10:10 climate change campaign. It will, therefore, aim to cut its carbon emissions by 10% in 2010 and will encourage individual residents of the county to strive to achieve the same target'

42.3 A recorded vote on Councillor Birch's Notice of Motion was requested and taken. The votes being cast as follows:

FOR THE MOTION

Councillors Birch, Field, Freeman, Harris, Heaps, Lambert, Ost, Rodohan, Rogers, Scott, Sparks, St Pierre, Thompson, Tutt and Webb.

AGAINST THE MOTION

Councillors Barnes, Belsey, Bennett, Bentley, Dowling, Elkin, Ensor, Fawthrop, Freebody, Gadd, Glazier, Hughes, Jones, Kenward, Livings, Lock, Maynard, Pragnell, Reid, Stogdon, Stroude, Taylor, Thomas, Tidy, Mrs Tidy, Waite, and Whetstone.

ABSTENTIONS

Councillors O'Keeffe, D Shing, S Shing and Simmons.

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42.4 The following amendment moved by Councillor Rogers and seconded was LOST:

This Council notes that:

- 1. Climate change predictions show that without severe cuts in greenhouse gas emissions, the world will be hit by drought, flooding and famine affecting all of us and poorest countries in particular. Some of these countries are already suffering from the effects of climate change. This is an issue of social justice as well as a call to take environmental action.*
- 2. Under the UK Climate Change Act 2008 the UK is due to cut its emissions by 34% by 2020, but that, according to climate change scientists, a cut of 10% in 2010 is in line with what is now needed to avert runaway climate change.*
- 3. The United Nations Framework Convention on Climate Change, which meets in Copenhagen in December of this year, may be the world's last chance to negotiate a deal that will avert the worst consequences of climate change.*
- 4. To ensure a breakthrough at the critical Copenhagen conference government ministers need to know that citizens support more dramatic cuts in emissions than have hitherto been proposed.*
- 5. The "10:10 Campaign" seeks to persuade individuals, businesses, organisations and the UK government to reduce their CO2 emissions by 10% in 2010.*

East Sussex County Council supports the aims and ambitions of the 10:10 Campaign, and therefore resolves formally to support the 10:10 Campaign.'

42.5 The following amendment moved by Councillor O'Keeffe and seconded was LOST

'To investigate how the 10:10 campaign target for the County Council's own emissions could be adopted taking into account that the County Council is required to deliver continuing annual reductions to satisfy the statutory Carbon Reduction Commitment because it would be preferable to start with a costed programme for reductions.'

42.6 The following motion moved by Councillor Reid to adopt paragraph 1 of the Cabinet's report was CARRIED:

'to support the 10:10 campaign by promoting it to staff, residents and businesses; and not to adopt the 10:10 campaign target for the County Council's own emissions, because the campaign target excludes schools, because the County Council is required to deliver continuing annual reductions to satisfy the statutory Carbon Reduction Commitment, and because it would be preferable to start with a costed programme for reductions'

42.7 Councillor Jones moved the remaining reserved paragraphs of the Cabinet's report.

42.8 The motions were CARRIED after debate.

43 Report of the Lead Member for Transport and Environment

43.1 Councillor Lock moved paragraph 1 of the report of the Lead Member for Transport and Environment.

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43.2 The following amendment moved by Councillor St Pierre and seconded was LOST:

'East Sussex County Council (ESCC) welcomes the report of the Central Rail Project Board on the reopening of the railway between Lewes and Uckfield and its conclusion that this line could be technically reinstated and would show a profit. ESCC regrets the formula used by Network Rail, instigated by the government, is flawed and makes it difficult to make a project appear viable. It is noted that rail schemes which the New Approach to Appraisal (NATA) formula predicted would be unviable and which have opened are now proved to make a profit. We call upon ESCC to write to the Secretary for Transport to instigate an early and comprehensive review of the NATA formula.'

43.3 The following motion moved by Councillor Lock to adopt paragraph 1 of the report of the Lead member for Transport and environment was CARRIED:

'welcome the principle of the Notice of Motion, as proposed by Councillor St. Pierre and seconded by Councillor Sparks;

reaffirm that the County Council supports the reinstatement of the Lewes – Uckfield Railway Line; and

write to the Department for Transport to request that changes are made to the New Approach to Appraisal to give equal weighting for all major transport schemes.'

44 Questions from County Councillors

ORAL QUESTIONS TO CABINET MEMBERS

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

Questioner	Respondent	Subject
Councillor Rogers	Councillor Lock	Repairs to the bridge at Southease on the south downs Way
Councillor Tutt	Councillor Jones	Feedback of highlights from the recent County Council's Network meeting
Councillor Lambert	Councillor Glazier	Development of induction for employees in the Adult Social Care department
Councillor Scott	Councillor Lock	Highways agreement between ESCC, Hastings Borough Council and Eastbourne Borough Council
Councillor Webb	Councillor Bentley	Substandard care homes identified by the Care Quality Commission
Councillor Whetstone	Councillor Lock	Responsibility for maintaining and repairing the potholes on the verges of rural lanes
Councillor Barnes	Councillor Bentley	Rating of social care in East Sussex assessed by the Care Quality Commission

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Questioner	Respondent	Subject
Councillor St Pierre	Councillor Lock	Parking restrictions in lewers on Boxing day and New Years Day
Councillor Ost	Councillor Elkin	Update on progress of centralised clerking provision for Governing Bodies across East Sussex

WRITTEN QUESTIONS PURSUANT TO STANDING ORDER 44

44.2 Written questions were received from Councillors Freeman, Sparks and St Pierre for the Lead Member for Transport and Environment; Councillors Rogers and Sparks for the Lead Member for Corporate Resources and Councillor Lambert for the Lead Member for Children and Families. The answers are included in the minute book.

44.3 The Lead Members responded to supplementary questions by the questioners for the purpose of clarification.

45 Report of the Sussex Police Authority

45.1 Members commented on paragraphs 1 and 5 of the Sussex Police Authority's report and Councillor Jones, the nominated spokesperson for the Sussex Police Authority, responded.

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 2.43 pm

The reports referred to are included in the minute book

COUNTY COUNCIL – 8 December 2009

WRITTEN QUESTION PURSUANT TO STANDING ORDER 44

1. Question by Councillor St Pierre to Councillor Lock, Lead Member for Transport and Environment

What, if any, contributions from section 106 monies which were unspent have been returned to developers since 2001?

Answer by Councillor Lock

Part only of one contribution has been returned to a developer. The contribution concerned was secured from a housing development in Crowborough towards the costs of traffic calming on Green Lane and Old Lane. While most of the £6,000 was spent on a traffic calming scheme in Green Lane, £1,879.72 including accrued interest was returned to the developer.

In addition to the above, the University of Brighton has asked the Council to return a contribution of £10,000 from a development of student housing at its Welkin Campus, off Carlisle Road, Eastbourne, towards a residents parking scheme.

The £10,000 was received in August 2003 and a civil parking enforcement scheme has been introduced in the Eastbourne town centre area since then. However, there are no firm plans at present to extend the scheme to the Carlisle Road area.

Nevertheless, the University of Brighton has indicated it is still prepared to contribute £10,000 towards the costs of implementing a residents parking scheme in the Carlisle Road area, as and when such a scheme goes ahead.

2. Question by Councillor Rogers to Councillor Reid, Lead Member for Corporate Resources

- a) Is the Lead Member able to assure the Council that all public buildings over 1000 square metres for which the County Council is responsible are complying with the requirement for a current Display Energy Certificate?
- b) Can the same assurance be given for all relevant buildings of our public sector partners across the county? If not, what plans does Trading Standards (or the council as a whole) have to make progress in this regard?

Answer by Councillor Reid

- a) The County Council is responsible for the display of Display Energy Certificates in respect of all non-school buildings over the 1,000m² threshold and I confirm that certificates are displayed at these. 13 of these are now due for renewal and this is in hand. School Governors have a separate responsibility as it is the occupier who has the duty to display the certificate. To assist schools, CRD Property have procured a company which is available for schools to use at reasonable cost and this has been promoted to schools together with advice on their responsibilities under the Energy Performance of Buildings Directive.

b) Without 100% inspection being carried out, it is impossible to ensure that all relevant buildings of our public sector partners are displaying a DEC, however, the East Sussex Trading Standards Service is unique in having an officer working to enforce the legislation in respect of Display Energy Certificates (DECs).

Public Sector partners across the county including, District & Borough Councils, NHS, Police, Law Courts, Central Government Buildings (eg Job Centres etc) have been given advice and guidance in respect of DECs. A sample of those organisation's properties have been checked including:

- All Hastings and Eastbourne Borough and Wealden, Eastbourne & Lewes District Council's properties, including leisure centres;
- 2 Police Stations (Eastbourne & Hastings);
- Eastbourne District General Hospital and The Conquest Hospital together with one other Sussex Partnership NHS building;
- Job centres; and
- Law Courts in Hastings and Lewes.

Where properties were found to be without a DEC the occupiers have been advised of their responsibility and follow up visits made to ensure that they are now compliant.

Recently, all these partners were emailed to advise them of the requirements for year 2 DECs.

3. Question by Councillor Sparks to Councillor Lock, Lead Member for Transport and Environment

It is noted that the projected overspend on Home to School Transport currently stands at £737,000. Other authorities are expecting to make significant efficiency savings through changes to its transport for children. New geographic information software has helped reduce the number of routes and vehicle use, enabling children to arrive at school quickly with the added bonus of lower carbon emissions.

Have we explored this as a means of reducing our expenditure and carbon emissions?"

Answer by Councillor Lock

The current budget (2009/10) for Home to School Transport is approximately £11.5million, and provides transport between home and school for over 7200 students. Last year there were approximately 1040 are students with Special Educational Needs (SEN) receiving taxi or specialist transport; and 6185 are students in mainstream education travelling mainly on public buses or school coaches.

We have been using geographical information software for two years in the form of our Trapeze system to manage our home to school arrangements. The system uses maps and manages our entire home to school routes to ensure that the transport is the most efficient in terms of both the minimum amount of mileage and combining routes with a number of pupils.

We have recently used this software to review 300 solo taxi provisions, which has identified significant savings using alternative means of transport, such as a bus service or combining travel arrangements for a number of pupils.

We ensure that all transport provision for pupils is safe, suits the needs of the individual child and is the most efficient both in terms of mileage and cost. These priorities translate into reduced carbon emissions through the use of buses where possible and reduced cost through the improvement work being undertaken.

We would welcome the opportunity to invite Cllr Sparks to view the Trapeze system and we can explain how this system works and what information it captures

4. Question by Councillor Sparks to Councillor Reid, Lead Member for Corporate Resources

As a means of funding much needed major projects in the County we have to seek creative solutions that do not always come from the public purse. One option could be creating a bond issue. Have we examined this possibility and, if so, what is our view?

Answer by Councillor Reid

Without wishing to temper any enthusiasm for looking at new ways of doing things, I am afraid the question itself reflects two key misunderstandings. First, it implies that creating a bond issue does not fall on the public purse. The reverse is true. Second, it assumes the problem is a lack of access to capital. This is not the case, The problem is the pressure on the council tax payer to meet the financing charges, from revenue, of any new borrowing.

Let me expand on both these points.

A bond issue, despite the name, is still fundamentally borrowing capital monies from individuals or institutions in return for a promise to pay back the principal at some future maturity date and, in the intervening period, to pay an annual interest (known as a 'coupon') to the investor concerned. For the investors concerned, they would need a sufficiently attractive interest rate promise and, of course, confidence in the security of the initial capital. With one crucial caveat, all this is no different at all from the conventional long term capital borrowing undertaken by the County Council to help fund capital projects. Borrowing by way of a Bond would still appear as a long term debt on the balance sheet of the County Council and the financing charges would have to go through our revenue accounts – in exactly the same manner as all other long term borrowing is dealt with.

The one crucial caveat is that we are able to borrow from the Public Works Loan Board (PWLB), and indeed the wider capital market, at a much lower interest rate cost than we would have to pay through a bond issue. That interest differential, which remember would add to the council tax pressures, could easily exceed 25%. For example, if we could borrow from the PWLB at 4%, we would be inordinately fortunate if we only had to offer 5% for an equivalent bond issue. That would be a 25% extra interest cost per annum. Related to this cost efficiency consideration is the fact that it takes, literally, only a few minutes to activate and draw down borrowing from the PWLB. It would take months to organise a bond issue and thereafter considerable administration in monitoring and managing coupon payments. In short, the administrative cost is many times more expensive than our normal borrowing approach.

My second point was that the County Council does not have a problem in accessing capital markets (i.e. there is no shortage of institutions alongside the PWLB willing to lend to us). Rather, our problem, like other local authorities, is a shortage of revenue monies to meet the revenue financing costs of taking on new borrowings. Indeed, as I explained earlier, a bond issue would make that revenue cost problem worse not better.

Rightly at this Council, we rely on the professional judgement of our officers in these matters but you can safely assume my views completely match the views of the Council's Deputy Chief Executive and Director of Corporate Resources on this question at least! For the reasons set out we have considered but rejected bonds. In short it would be solving a problem we do not have (i.e. access to capital) at much higher revenue financing cost than we currently incur.

All that said, we remain happy to keep the matter under review should key factors change. For example, if access to conventional capital borrowing was removed or restricted, bonds could become attractive purely in terms of capital access. Beyond that, it is extremely difficult to foresee a time when long term interest charged by the PWLB was more expensive than the coupon rate we would have to offer on a bond – but if that was ever the case we would have to consider bonds.

Three further observations. First, in a number of countries municipal bond issuance is the norm. The best example is the USA but this reflects, for cultural and other reasons, the fact that the USA has not had and does not have an equivalent to the Public Works Loan Board. Second, it is sometimes the case that bond issuance and 'toll income' are spoken of as inextricably related. For practical reasons in some countries, such as the USA, that may be the case but there is no reason, at least in principle, why charging to help defray the financing cost of the original investment requires the original borrowing to have been in the form of a bond issue. For local authorities the key issue will be legal powers and the policy considerations from charging. Three, East Sussex, in conjunction with colleague Counties in the South East, have asked Government to consider schemes whereby initial infrastructure investment could be partly or largely repaid by the subsequent uplift in business development values. (We are not the only local authority to have put forward such "tax increment" schemes).

My final point. Given current market conditions, the County Council is not doing any external borrowing, whether that be via bond or conventional borrowing, as it is currently cheaper to use our own temporary cash balances.

5. Question by Councillor Freeman to Councillor Lock, Lead Member for Transport and Environment

This question in four parts relates to the consultation process on the Waste and Minerals Core Strategy.

- a) Would the Portfolio Holder explain why the consultation on the Waste and Minerals Core Strategy was so low profile that until very recently many of the Parish Councils and residents affected did not know either it was taking place or appreciate the full consequences of the proposals?
- b) Now that the six weeks consultation period from 21st October to 2nd December has been extended to now close on 15 January 2010 will he direct that a further

- exhibition takes place in Wealden during this period to enable all residents to be made fully aware of the proposals?
- c) Despite the extension, residents have been encouraged by officers to comment by 2nd December because it is stated “we will soon start planning for further technical work and comments received will help with this”. Does he appreciate that the impression given to residents is that decisions have already been taken? Will he direct that this “technical work” does not take place until after the end of the extended consultation period and the responses fully considered?
- d) Will he explain why search areas for land raise in Wealden are being considered now when they were excluded some eight years ago. What has changed?

Answer by Councillor Lock

a) The consultation on the Waste and Minerals Core Strategy has been extensive. The consultation exercise has been publicised in a number of ways as follows:

- Press advertisements
- Media releases
- A workshop about landfill on 3 November held specifically for parish councils whose areas coincide with those primary Greenfield areas of search for a landraise site.
- A mail-out to interested parties and stakeholders, including Parish Councils, informing them of the consultation
- Two staffed public exhibitions
- Significant information on the ESCC website
- Leaflets and posters were distributed to all the main libraries, council offices and parish councils across East Sussex. Displays were also in libraries across East Sussex
- An article in the Councils ‘Your County’ publication which is sent to all residents of East Sussex.
- Elected Members were also invited to briefings held at County Hall on 23 September and 16 October.

It should also be noted that earlier stages of consultation, on the evidence base in July 2007 and on ‘Issues and Options’ in February 2008 have already taken place and both instances Parish Councils and other stakeholders were notified.

b) A public meeting has been organised which is taking place in Wealden District on 9 January. I will be attending this meeting together with officers from the Council who will be able to answer questions about the Waste and Minerals Core Strategy.

c) Further responses received up to 15 January will be taken into account. Technical work has been ongoing and will continue related to many aspects of the Waste and Minerals Core Strategy.

d) The Council is preparing a Waste and Minerals Core Strategy. It is Government guidance that this should aim to cover the time horizon of the South East Plan so the new document will look ahead to the period up to 2026. This is a longer time period compared to the current Council’s planning policy on waste management set out in the Waste Local Plan which has an end date of 2015/16. There is therefore more waste that has to be planned for.

The Waste Local Plan would currently be used to judge any planning applications for waste facilities.

We are currently consulting on all waste treatment options including land disposal. No decisions will be made until this consultation is complete. We understand that many people have serious concerns about land raising but before making any decisions the County Council will consider all representations made.

6. Question by Councillor Lambert for Councillor Stroude, Lead Member for Children and Families

- a) How many young people use the Mecedad Youth Centre in Seaford each week, that is, how many individuals, not counting those who may attend more than one session?
- b) How many sessions are run by the Youth Development Service alone and how many sessions are run by partner organisations?

Answer by Councillor Stroude

- a) Since April 2009 there have been 273 different individuals attending Mercread Youth Centre. The average attendance each week is 125 young people.
- b) There are at present 10 sessions each week. Six are run by Youth Development Service alone and four are run in partnership with Seaford Head Community College.

COUNTY COUNCIL – 8 December 2009

QUESTION FROM MEMBERS OF THE PUBLIC

1. Mr Colin Harmer, Chairman, Mountfield Parish Council

At what date did the level crossing at Eatenden Lane, Mountfield, become the catchment boundary between Robertsbridge Community College and Claverham Community College; why was the Parish Council not consulted on this matter?

Response by Councillor Elkin

For children living on the Battle side of the level crossing, Claverham is the nearest school. The level crossing is a boundary that is easily recognisable.

The community area has been in existence at least since 1974 although it was the subject of consultation in 1998. Town and Parish Councils were consulted as part of that exercise.

We also consult annually on admission arrangements and for the past two years, public notices have been placed in the local press giving this information. We have not received any objections or comments about this community area.

2. Mrs C Hollamby, Eatenden Lane, Mountfield

If the dividing boundary locates us 66 metres closer to our 'designated school' - Claverham- than it does to Robertsbridge, then why is this not clearly represented by the Schools Admissions and Transport Service when advising on school admissions? The admissions booklet only links Robertsbridge Community College (and the possibility of free transport) with the residents of Mountfield, with Claverham not cited at all, whilst the transport team advised verbally (in September 2008) that both schools were marginally over the 3 mile zone and therefore sufficiently far enough away to entitle us to free transport, with no mention of a 'dividing boundary' through the village, thus penalising all those who live 'on the wrong side' - how can this be both fair and supportive of the recently publicised 'Sustainable School Travel Strategy' in forcing a parent to reduce their work hours in order to drive a child to school instead?"

Response by Councillor Elkin

The Admissions booklet states that Mountfield residents may qualify for transport to Robertsbridge, but is not mentioned in the detail concerning Claverham. This will be amended in the next publication.

Under the current County Council's policy, children who qualify for assistance on distance grounds should be attending their designated school and have to travel over the qualifying distance of three miles. Although both schools are over three miles away, Claverham is the designated school in this particular case and it is closer to the child's home and is the 'designated' school. However, the child attends Robertsbridge in accordance with the parent's wishes and the Council is not therefore obliged to provide assistance with transport despite the further distance to the school. The Admissions booklet clearly advises parents that they should carefully consider how they will get their children to school when deciding where to apply.

With regard to the community area, there will be no changes in the 2010/11 school year as the arrangements have already been consulted on and determined. However, the 2011/12 arrangements will be available on the Council's website from Friday 4 December 2009. Comments are welcomed and will be considered before determining the arrangements in April 2010.

3. Professor Brian Hill, (Ripe Lane, Ripe)

Given the immense amount of time, money and energy spent on the Waste Local Plan some eight years ago, which lead to the eventual exclusion at a full ESCC Council Meeting of a landraise waste disposal site close to Ripe village, what has changed to make all the cogent arguments finally developed then invalid now.

Response by Councillor Lock

The Council is preparing a Waste and Minerals Core Strategy. It is Government guidance that this should aim to cover the time horizon of the South East Plan so the new document will look ahead to the period up to 2026. This is a longer time period compared to the current Council's planning policy on waste management set out in the Waste Local Plan which has an end date of 2015/16. There is therefore more waste that has to be planned for.

The Waste Local Plan would currently be used to judge any planning applications for waste facilities.

We are currently consulting on all waste treatment options including land disposal. No decisions will be made until this consultation is complete. We understand that many people have serious concerns about land raising but before making any decisions the County Council will consider all representations made

4. J. Gidlow, Carisbrooke Road, St Leonards on Sea

The consultation on the proposed academies for Hastings clearly allowed us to consider the East and West Academies as separate issues. We were afforded the opportunity to give our agreement to one but not the other. I would therefore like to ask why the council seem determined to proceed with both academies as a single issue, taking away the ability of parents to choose a state-controlled co-educational school in Hastings?

Response by Councillor Glazier

It is not clear whether the respondent is referring to the sponsors' consultation on opening the academies or the Council's consultation on the closure of the predecessor schools.

In respect of the first, the sponsors are proposing that the two academies are federated under a single trust and they therefore consulted on the two proposals together. When the sponsors make their proposals to the Secretary of State at the end of feasibility study, taking account of the consultation responses, they can propose to open one, two or no academies.

In respect of the second, the County Council consulted on two proposals: to close Hillcrest to make way for Academy East and to close Filsham Valley and The Grove to make way for Academy West and sought separate responses to the two proposals. In effect, therefore, respondents could support the closure of one and not the other, or oppose the closure of both, or support the closure of both. Similarly, when the County Council comes to make a decision, it can decide to proceed with its closure proposals for either of the two proposals, both or neither. Academies are state schools, run by Charitable Trusts, so the choice referred to will remain for parents.

5. C Gidlow, Carisbrooke Road, St Leonards on sea

In the light of the poor response to the consultation on Hastings Academies I would like to ask the council if they will ballot the staff, parents and children of the three schools affected and their feeder primaries? Far from being a case of "asking the question until you get the answer you want", it would help to clarify the inconclusive results.

Response by Councillor Glazier

The Council sees no necessity to do this. Two consultations have been undertaken: one by the sponsors (on the opening of the academies) and one by the authority (on the closure of the predecessor schools) and there has been ample opportunity for all the schools affected, including primary schools, to respond. Even the Filsham Valley governing body's own consultation elicited fewer than 200 responses from parents, indicating that there is little widespread opposition to the academies' proposals across the communities.

6. Mick May, Brookside Avenue, Polegate

Outline Planning Application WD/2008/2180 for 520 dwellings at Honey Farm, Polegate: Highway and Transport response by East Sussex County Council

(1) The County Council response on 16 November 2009 to Wealden District Council in its role as local highway and transport authority is to object to the Pelham application and recommend refusal, but no objection in principle is raised to the applicants' proposal for a pedestrian and cycle bridge over the A27 between the application site and the northern part of Brookside Avenue, Polegate. Can the Lead Member for Transport state whether the County Council as authority responsible for local roads, footways, access, cycling and road safety is opposed to the Pelham Holdings proposal for a bridge between Honey Farm application site and the northern section of Brookside Avenue, Polegate; and if not, what reasons it has to support it in principle, bearing in mind the opposition of local residents as shown by the petition submitted by 175 residents of Brookside Avenue and adjacent streets.

(2) Will the Lead Member for Transport:

(a) visit the site of the Pelham application and the proposed bridge over the A27 and meet residents to discuss their concerns about it

(b) place the subject of the highway access and road safety aspects of the Pelham Holdings application on the Agenda for his next public session on local transport and road safety issues and give consideration of the Petition of October 2009 (copy attached herewith)

Response by Councillor Lock

1. Wealden DC (WDC) is the Local Planning Authority (LPA) who must determine the planning application for the Honey Farm development. The site is allocated within the WDC 2005 Non-statutory Local Plan. This includes a policy with plans showing indicative pedestrian and cycle links from the application site to Polegate town centre (across the A22 Trunk Road).

The Highways Agency is the Highway Authority for the A22/A27 Trunk Roads and provide advice to WDC on matters relating to those roads. The HA have confirmed that they do not want any at-grade crossing of the A22. An "at grade" crossing is where the pedestrian crosses on the same level as the road, for example a zebra crossing or a puffin crossing.

The County Council is the Highway Authority for the local highway network. Its role is to provide technical advice to WDC including consideration of the accessibility of the site. Whilst the County Council has raised concern with regard to the accessibility of this site, in order to encourage non-car modes of transport, it is vital that pedestrian/cycle links are provided from the site to Polegate town centre. In principle, the bridge provides that link and a highway objection is unlikely to be sustained in the event of a planning appeal. The wider considerations of whether the bridge is acceptable, as raised by the petitioners, is for Wealden DC is consider as part of their overall assessment of the application.

2a. Whilst deputising for the Lead Member for Transport and Environment Cllr Reid wrote to Mr May and suggested a site meeting. A date was not agreed, but a meeting could still be arranged on site to consider the proposal.

2b. The County Council has delegated to the Director of Transport and Environment authority to respond, by providing technical advice, to requests for highway and transport advice on planning applications on behalf of the County Council as Highway Authority. The Director provides this advice to the Local Planning Authorities (LPAs) in order to assist them in their decision making process. It is for the LPA to balance all of the advice given and to report to their planning committees where a democratic decision is made by District Councillors. The next Lead Member for Transport and Environment meeting is on the 17th December 2009 however the planning application is due to be considered on the week preceding this, and any petition should be presented to the LPA. In any event the County Council as Highway Authority is recommending that the application be refused on highways grounds.

7. Kim Forward, Sedlescombe Road South, St Leonards-on-Sea East Sussex

As referred to in East Sussex County Council's consultation documentation an Ofsted inspection in October 2008 found that Filsham Valley School had good capacity to improve and after a monitoring visit in October 2009 the Ofsted inspector stated:

"Having considered all the evidence, I am of the opinion that at this time the school has made good progress in making improvements and good progress in demonstrating a better capacity for sustained improvement."

East Sussex County Council's consultation documentation states that options other than academies have been considered but that the Council does not believe these

would be successful. In the interests of democracy & transparency could you please state what these other options are, what evidence was used to dismiss them as the way forward and what evidence was used to conclude that the academy option is the only route to ensure sustained long term improvement at Filsham Valley School?

Response by Councillor Glazier

The options considered by the authority included:

- Status Quo
- Collaboration or Federation
- Trust status
- Academy status

In evaluating these options, the authority considered the extent to which each had the potential to achieve the following:

- Sustain rising standards over the long term
- Generate capital funding within a reasonable timescale
- Attract additional external capacity, expertise and support
- Provide value for council tax payers
- Secure effective governance for the long term

After careful consideration, it was concluded that only the academy option would meet all these criteria.

8. Mick Flanagan, Sedlescombe Road South, St Leonards on Sea

During the initial consultation period the residents of Hastings and St Leonards have been led to believe that the establishment of Academy West would provide a state of the art new building for the students from Filsham Valley (even though the Filsham building is only 15 years old and fit for purpose) and The Grove with 'radically different learning spaces' and this has been the main justification given for the proposals. Please can you confirm that the Council has not been given any indication that the funding for this new building for Academy West may no longer be available?

Response by Councillor Glazier

The sponsors (not the County Council) are in negotiation with Partnership for Schools and the DCSF over the allocation of resources for the academies proposals, which were submitted and approved on the basis of new build by two previous Schools Ministers. The final cash allocation will be determined by the current Schools Minister, Vernon Coaker, in February 2010.

9. Mr E Bacon, Lime Close, St Leonards on Sea Jan McTaggart, Dane Road, St Leonards- on Sea Ken Maitland, London Road, St Leonards on Sea

If the schools in Hastings & St Leonards close and become academies what happens if they become failing schools-can they be taken back into local authority control?

Response by Councillor Glazier

Where an Academy is not making satisfactory progress, the DCSF would work closely with sponsors to secure whatever changes are necessary to accelerate progress. This could include a change of leadership and a new partnership with another successful strong academy, or high performing school.

The Secretary of State has powers to "flood" the Governing Body of the academy with his/her own appointees, which would be designed to ensure a programme of improvement is implemented as directed by the Secretary of State.

Once the programme of improvement has taken effect but loss of confidence remains in the existing sponsor, then a new sponsor could be found.

A failing academy could be taken back into the maintained sector but the options described above would be exhausted first. Unless policy changes, taking an academy back into local authority control would be the last option to be considered.

10. Dan Flanagan, Sedlescombe Road South, St Leonards-on-sea

East Sussex County Council has a duty to consult young people over plans to close their schools. A recent ballot conducted by students leaders at Filsham Valley found that nearly 90% of students are opposed to closure. Please could you give details of the information given to the students of Filsham Valley School about the proposals, including evidence to support the claim that only academies will ensure sustained improvement, and how they have been consulted about the proposed closure of their school?

Response by Councillor Glazier

Information about the closure of the three predecessor schools was set out in the County Council's consultation document, of which 9000 were circulated to students and their families, and the wider community. The consultation document was also available on the County Council's website with the opportunity to respond on line. A separate consultation on the opening of the academy, which included information about how the sponsors proposed to ensure sustained improvement in standards, was carried out on behalf of the sponsors by Cambridge Education. In terms of the information given to students at Filsham Valley for their 'ballot' – you would need to ask the governors and staff who organised it and what information they gave to students – the County Council was not party to it.

11. Maria Britt, Denham Close, St Leonards-on-Sea

I am a great believer in evidence rather than perception and would like to see the evidence you have to prove that academies will be better than the present arrangement. Filsham valley have shown continuous improvement since Mr Midwinter has taken up post so surely that is proof that it is down to staff and management that can improve attainment not necessarily a new building.

Response by Councillor Glazier

The County Council has a two-stage school improvement strategy to improve standards in Hastings for the long term. Stage 1 is the federation of the three predecessor schools with support from Ninestiles Plus, which has resulted in a substantial improvement in standards across the three schools, placing them among the most improved schools in the country. It should be remembered that, at the time that it was proposed, there was significant opposition to this strategy with many saying that it would not work. Stage 2 is the establishment of the academies under the leadership of the University of Brighton (which has the only School of Education in the country judged to be outstanding by Ofsted) and BT (which has outstanding business and research and development capability), together with the County Council (the top performing county council in England), which will build on the success of the federation. It should also be remembered that, at the time the County Council intervened with this strategy, Hastings had the worst GCSE results in the country.

12. Debbe Wordley, Community Governor, Filsham Valley, The Suttons, St. Leonards-on-Sea

a) How do you propose to accommodate over 800 extra pupils' in the Grove site during the building of the academy as they currently have an issue housing the ones they already have and keeping them under control? My partner took his step son out of the Grove due to the fact they did not have the resources to address the issues he had and that was when they were not even full on normal intake.

b) Secondly, after the recent events between the two sites, how will this be addressed to stop this happening again as the animosity between the two schools is worrying for all parents?

Response by Councillor Glazier

a) It is not proposed to accommodate the Filsham Valley students on the Grove site while building work takes place.

b) If the Secretary of State approves the academies, there will be a long lead-in time before the academies open in September 2011. The sponsors would use this transitional period to build on the work of the federation between the schools to promote joint working between the staff and students. The sponsors understand the concerns of parents and every effort will be made to ensure good working relationships between the two school communities before they become one. Given good will on all sides, there is every opportunity to achieve this.

13. Amanda Roberts, Wykeham Road, Hastings

a) If East Sussex County Council (ESCC) feel they are not able to run Filsham Valley, The Grove or Hillcrest successfully, what assurances can they give that they can oversee the running of Helenswood and William Parker and ensure good management at these schools?

b) ESCC are manipulating figures by suggesting a dramatic drop in pupil numbers registering at the mixed schools, when in fact, closure of sixth forms in all the mixed schools in Hastings have created a reduction in overall numbers. Furthermore,

Hastings is expected to create more than 4000 homes by 2020, and regeneration, along with plans for a link road will increase need for schools locally. The council claim that they only need to consider figures up until 2016. This appears short sighted and inward looking towards academies as the only option. Please can you advise how over subscription for local mixed schools will be acknowledged and 'satisfactorily' dealt with?

Response by Councillor Glazier

a) The Council's two-stage improvement strategy for the three 11-16 schools is already beginning to bear fruit. Already, the three schools are among the most improved in the country based on their GCSE results for 2009 as a result of the support provided by Ninestiles Plus and the hard work of the staff and students in the new federation. The Council expects this success to continue through the academy programme if the sponsors' proposals are approved. The Council has different support strategies for the two 11-18 schools based on their different circumstances but expects these to be equally successful. As a Sponsor of the Academies the County Council will arguably have more involvement in the running of the Academies than it does day to day in Community Schools.

b) The Council is confident of its forecasts for secondary age pupils for the foreseeable future. These are a matter of public record and are set out in the Expression of Interest for both academies (which can be accessed on line). In line with best practice in local authorities, the Council will keep these forecasts under review and bring forward proposals to ensure that supply can meet demand.

14. Nik Roberts, Wykeham Road, Hastings

a) If businesses are concerned over education and seemingly willing to work with schools, should the council be considering support without privatisation, given that the government can offer guidelines for good practice for private companies running schools, yet cannot enforce good practice?

b) If parents are concerned about practice, as many have expressed in other parts of the country where privatisation has occurred, the only way to try and resolve issues is to take their concerns to the government, who generally advise that they are powerless as the school is privately managed. What guarantee can you give that good practice will be adhered to?

c) The consultation process is flawed and the low number of responses to the sponsors and ESCC is evidence for this. Could the decision to close our schools for replacement of our schools with academies be deferred until democratic consultation, discussion and information has been completed fairly and properly?

Response by Councillor Glazier

a) The Council is not considering privatisation: academies are state funded independent schools accountable to the Secretary of State

b)) The regulation of academies is not simply a matter of good practice: academies are subject to monitoring by their trustees, by Ofsted and by the Young Peoples Learning Agency; experience has shown that the Secretary of State will intervene directly if academies do not perform as expected.

c) The Council considers that the consultation has been completed fairly and properly; it will consider carefully all the representations it receives in response to the recently published statutory notices before coming to a decision.

15. Tania Forward, Emmanuel Road, Hastings

Does the council know what experience BT and Brighton University have of sponsoring successful academies and can they tell us?

Response by Councillor Glazier

BT is already sponsoring one new academy in Manchester and has extensive successful experience in delivering education projects nationally.

In common with most other sponsoring universities, this is a new venture for the University of Brighton; nevertheless, it has substantial successful experience in planning, developing and implementing major educational projects, including the University Centre Hastings, which has brought major benefits to the people of Hastings, and its School of Education, the only one in England to be judged to be outstanding by Ofsted in every aspect.

16. Pete Donohue, Emmanuel Road, Hastings

In a recent Ofsted annual report 20% of academies inspected were found to be inadequate. What evidence is there to support the Council's assertion that the establishment of academies in Hastings & St Leonards will bring sustained improvement in educational attainment and achievement?

Response by Councillor Glazier

The latest figures we have seen suggest 6 Academies are in Ofsted 'Special Measures' out of some 400, which does not equate to 20%. Given these are generally the most deprived schools in the County this is perhaps not surprising. Price Waterhouse Coopers research suggests Academies improve standards in low performing schools at a rate twice the national average. Nevertheless, the Council is not concerned to defend practice elsewhere: the evidence shows that its two-stage school improvement strategy for Hastings is working, with the three 11-16 schools among the most improved in the country, a strategy which many opposed at the time it was proposed. The quality of the sponsors, the substantial capital investment, and the capacity for innovation available to academies will all contribute to the improved opportunities for the young people of Hastings, opportunities that they would otherwise be denied.