

**Minutes of the Meeting of the Mid Sussex District Council Cabinet
held on Monday, 10 July 2017
from 4.00 p.m. to 4.43 p.m.**

Present: Councillors: Jonathan Ash-Edwards, Andrew MacNaughton, Gary Marsh, Garry Wall (Leader), Mandy Thomas-Atkin and Norman Webster.

Also present: Councillors: Ginny Heard and Rod Clarke.

Officers: Kathryn Hall, Tom Clark, Judy Holmes, Peter Stuart, Simon Hughes, Terry Stanley and Craig Marshall.

1. DECLARATIONS OF INTEREST

None.

2. APOLOGIES

None.

3. MINUTES

The minutes of the meeting held on 8 May 2017 were agreed as a correct record and signed by the Leader.

4. BUDGET MANAGEMENT 2017/18 – PROGRESS REPORT APRIL TO MAY 2017

Peter Stuart, Head of Corporate Resources introduced the report. He summarised that it has been a satisfactory start to the financial year with revenues from car parking and development management fees increasing. He drew Members' attention to the proposed variations to the Capital Programme outlined in page 11 of the report, and the introduction of photovoltaic panels, which have reduced substantially in cost. He noted key investments in a range of car parks, the Finches Field Community Pavilion, the replacement of the skate park in Victoria Park and the investment in the Orchards Shopping Centre.

The Leader of the Council emphasised that this report demonstrated the current strength of the Council, which continues on the same positive trajectory. He noted that this is the result of planning that looks for the future, which has always been the mantra of this Council.

The Deputy Leader and Cabinet Member for Resources and Economic Growth praised the continued work of the Council in delivering high quality services for residents. He highlighted the Capital Project Variations on page 13 of the report which outlines a significant investment of £3,408,000 across all parts of the District. He highlighted the investment in Clair Park, including the Pavilion to make it more secure, and the long term replacement of Victoria Park Skate Park which is well used.

The Cabinet Member for Service Delivery highlighted the investment in the Garden Waste Service which has an extra 2000 customers. Furthermore, the value of the Leisure Contract has been increased by £55,000 to reflect a return on the Council's investment in the centres. The Cabinet Member was pleased to note an extra £40,000 for litter picking on the A23, the Council had recently collected over 8 tons of

litter, and which has drastically improved its appearance. He noted the resurfacing work that has been undertaken at three District car-parks, and informed Members that the Chairman of the County Local Committee has agreed a Traffic Regulation Order for Heath Road car park, Haywards Heath. He concluded that a local resident has been in contact praising the work to install a footpath across Bedelands Farm.

The Cabinet Member for Community noted the positive news in the report, and highlighted the disabled facilities grants, which are becoming increasingly important as the population ages and people live longer. He announced that there is currently no waiting lists for disabled facilities grants and officers are ready and prepared to accept any new applications.

The Cabinet Member for Housing and Planning drew Members' attention to paragraph 34 of the report outlining the investment in Finches Field Community Pavilion and Car Park; he noted that Slaugham Parish Council has worked hard to deliver on this project. The Parish Hall in Handcross is much needed and can be used by all residents of Handcross, Slaugham and Pease Pottage, which complements the new housing in the area.

The Leader reported he is pleased another consultation for young people will be undertaken for the replacement of Victoria Park Skate Park. He concluded by stating that nationally, the country is operating in a very challenging environment and the Council must re-emphasise the good work and positive direction that the District is taking.

The Leader took Members to the recommendations contained in the report which were agreed unanimously.

RESOLVED

Cabinet resolved to recommend to Council for approval:

- (i) that £192,927 grant income relating to Flexible Homelessness Support Grant be transferred to Specific Reserve as detailed in paragraph 20;
- (ii) that £4,818 grant income relating to New Homes Bonus Returned funding grant be transferred to General Reserve, as detailed in paragraph 21;
- (iii) that £40,000 of the revenue underspend be transferred to A23 Highway Cleansing Reserve as detailed in paragraph 26 (a)
- (iv) that £22,000 of the revenue underspend be transferred to the Leisure Reserve as detailed in paragraph 26 (b)
- (v) the variations to the Capital Programme contained in paragraph 40 in accordance with the Council's Financial Procedure rule B4.

To note:

- (vi) the remainder of the report.

5. PERFORMANCE OUTTURN 2016/17

Peter Stuart, Head of Corporate Resources introduced the report, he stated that this report was presented to the recent Scrutiny Committee for Leader, Resources and Economic Growth. He reported that Scrutiny Committee was pleased with the

direction of travel the report outlines. He summarised that the Council has improved from 11 red indicators in 2015/17 to 3 in 2016/17, and the number of amber indicators has increased from 6 in 2015/16 to 11 in 2016/2017. The Council is aiming to continue on this trajectory to a position where there are no red indicators in future. The report outlines monitoring arrangements on flagship activities.

The Leader acknowledged the important role the Scrutiny Committee played in the robust and vigorous scrutiny which is reflected in the report. He praised the Flagship Activities which provide a quick overview of key work the Council is undertaking, and demonstrates the quality work streams in place to benefit the community.

The Cabinet Member for Community highlighted the work of the Think Family community initiatives and is pleased the Council is able to contribute to this service. He highlighted the work of the Council's wellbeing service which has made 400 interventions and continues to advise and help the most vulnerable in the District. He noted that the demand for environmental health services has increased yet the department is still managing to increase the number of service requests which are completed within five working days. The Cabinet Member stated that the ways of reporting crime has recently changed which explains the 15.6% increase. In reality Mid Sussex remains the safest District in West Sussex and Sussex Police was recently rated 'good' in their reporting of crime, the only police force in the country to receive this rating.

The Cabinet Member for Housing and Planning stated that the planning department continues to meet its targets in Building and Development Control and is performing exceptionally well. Paragraph 43 of the report outlines that the Council is slightly above the national average for the number of appeals allowed against the refusal of planning permission. The Council continues to meet its target for affordable homes delivered and provides a good mixture of types of tenures of homes.

The Cabinet Member for Service Delivery praised the new provision of social housing in Ardingly, and noted that Members of the Scrutiny Committee for Customer Services and Service Delivery were invited to visit the District's Leisure Centres to see the progress of investment in them, which should conclude by the end of 2017.

The Leader explained that he attended the recent Scrutiny Committee for Leader, Resources and Economic growth and praised Members of that committee for their level of scrutiny and questioning. He reiterated that Mid Sussex has three very good leisure facilities across the entire District which the Council can be proud of. Furthermore, the payment of invoices at 99.96% within 30 days is an extremely high level and the team should be applauded. He concluded that the progress in the Customer Services and Service Delivery portfolio is visible to Members in the report.

The Deputy Leader and Cabinet Member for Resources and Economic Growth agreed with Members that the figures show a significant number of service requests and the Council copes incredibly well. The numbers of affordable homes completed compared well with other districts and the introduction of flagship reports will help in setting scrutiny priorities. He concluded by noting the significant number of Grants made to diverse groups across to support business, community and voluntary groups across the District.

The Cabinet Member for Service Delivery highlighted page 27 of the report which outlines the compliments and complaints received by the Council. He stated that many of the complaints received are dealt with satisfactorily and do not reach the next stage.

The Leader concluded by stating that the Scrutiny Committees continue to hold the Council to account, and improvements are always acknowledged, lessons are learnt and the Council continues to look forward.

The Leader took Members to the recommendations set out in the report which were agreed unanimously.

RESOLVED

The Cabinet resolved to:-

- (a) Note the Council's performance throughout the year and identify any areas where it requires further reporting or information; and
- (b) Note monitoring arrangements and progress with the Council's flagship activities for 2017/18.

6. THE MARTLETS CENTRE, BURGESS HILL – APPROPRIATION ETC.

Tom Clark, Head of Regulatory Services, introduced the report. He noted that in September 2015 Cabinet looked at a new agreement with the existing leaseholders for the site in Burgess Hill. In March 2016 the District Planning Committee approved the current plans to improve the shopping offer in the town. The report outlined historical parking rights acquired over time adjacent to the multi-storey car park. New River Retail has been in discussion with the holders of the spaces and alternative car parking spaces in Cyprus Road Car Park have been offered to those who have current parking rights to facilitate the significant regeneration of the area. If those who have current parking rights refuse or an agreement can't be reached the report outlines possible compensation from the New River Retail, the leaseholders and developers

The Cabinet Member for Service Delivery supported these proposals, which will allow the beginning stages of the investment to take place.

The Cabinet Member for Housing and Planning stated that minor issues always arise in major developments and it is important that these can be overcome quickly to move forward. The Council has to look at the best response to achieve a positive outcome for all parties in this case, either offering a parking space or compensation to accommodate people who have parking rights.

The Leader concluded by stating it is a full and considered report and demonstrates willingness of the Council to move this much needed regeneration forward.

The Leader took Members to the recommendations set out in the report which were agreed unanimously.

RESOLVED

The Cabinet resolved to:-

Subject to NewRiver (GP3) Limited indemnifying the Council from and against all legal, surveyors' and other costs, claims, liability and consideration (including costs and compensation payments arising from the exercise of the statutory powers outlined in this report)

- (a) appropriate land comprising the Martlets Shopping Centre, Burgess Hill, West Sussex, shown edged in red on the Site Plan annexed hereto at Appendix A, and currently held by the Council for planning purposes to planning purposes of implementing the redevelopment scheme approved by the local planning authority on 14 March 2016 under planning permission DM/15/3858 or any subsequent planning permission for a similar development scheme in respect of the Martlets Shopping Centre pursuant to the Council's powers under Section 122 of the Local Government Act 1972 with immediate effect;
- (b) if required, in order to facilitate the implementation of the development scheme mentioned in recommendation (a) above, be minded to recommend to Council the exercise the Council's powers of compulsory purchase over the land comprising the Martlets Shopping Centre, Burgess Hill, West Sussex, shown edged in red on the Site Plan annexed hereto at Appendix A, under the powers contained in Section 226 of the Town and Country Planning Act 1990, and having regard to the Secretary of State's policy in "Compulsory purchase process and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion: Guidance" issued by the Department for Communities and Local Government dated October 2015 as outlined in paragraphs 62 and 65 of this report;
- (c) if required, in order to facilitate the implementation of the development scheme mentioned in recommendation (a) above, be minded to exercise the Council's powers to override the existing third party rights identified in this report under the powers contained Section 203 of the Housing and Planning Act 2016 through the appropriation of the land comprising the Martlets Shopping Centre, Burgess Hill, West Sussex; and
- (d) authorise the Solicitor and Head of Regulatory Services and the Head of Corporate Resources to complete all necessary legal documentation to facilitate the implementation of the development scheme mentioned in recommendation (a) above and the grant of necessary rights over those parts of the Council's Cyprus Road Car Park, Burgess Hill, hatched in blue on the attached plan at Appendix D on terms acceptable to the Solicitor and Head of Regulatory Services and the Head of Corporate Resources.

7. URGENT BUSINESS

None.

The meeting was closed at 4.24 p.m.

Chairman.