

Minutes of a Meeting of Mid Sussex District Council held on 27 January 2016 from 7.00 pm to 8.30 pm.

Present: Councillors:

Peter Reed (Chairman)
Bruce Forbes (Vice-Chairman)

John Allen	David Dorking	Peter Martin*
Jonathan Ash-Edwards	Sandy Ellis	Edward Matthews*
Andrew Barrett-Miles	Steven Hansford*	Norman Mockford
Edward Belsey*	Ginny Heard	Pru Moore*
John Belsey*	Chris Hersey	Howard Muddin
Margaret Belsey*	Margaret Hersey	Kirsty Page
Liz Bennett	Colin Holden	Geoff Rawlinson*
Anne Boutrup	Anne Jones MBE	Robert Salisbury*
Pete Bradbury	Chris King	Linda Stockwell
Heidi Brunson	Jim Knight	Dick Sweatman
Kevin Burke*	Jacqui Landriani	Mandy Thomas-Atkin
Cherry Catharine	Andrew Lea	Colin Trumble
Richard Cherry	Anthea Lea	Neville Walker
Rod Clarke	Andrew MacNaughton	Garry Wall
Phillip Coote	Bob Mainstone	Anthony Watts Williams
Ruth de Mierre	Gordon Marples	Norman Webster
Tony Dorey	Gary Marsh	John Wilkinson
		Peter Wyan

*Absent

72. MINUTE SILENCE IN MEMORY OF PAT BAILEY

A minute's silence was held in memory of former Councillor Pat Bailey, who passed away earlier in the month.

The Chairman paid tribute to Pat Bailey's long standing service with Mid Sussex District Council. He had been a Ward Member for Haywards Heath – Heath from May 1986 to May 1999 and he had also served as Chairman of the Council from May 1991 to May 1993. He asked Members to join him in a minute's silence to reflect on his life and offer their condolences to his friends and family at this sad time.

73. QUESTIONS FROM MEMBERS OF THE PUBLIC – RULE 9

None.

74. MINUTES

The minutes of the meeting of Council held on 16 December 2015 were approved as a correct record and signed by the Chairman.

75. DECLARATIONS OF INTEREST

Councillor Gordon Marples declared a personal interest on Agenda Item 15 stating that he was a small shareholder in a public company that engaged in gambling.

76. URGENT BUSINESS

None.

77. CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed Members that the Civic Engagements were available for Members to view on the website.

78. COASTAL WEST SUSSEX AND GREATER BRIGHTON LOCAL STRATEGIC STATEMENT

The Cabinet Member for Planning introduced the report which outlined that the Local Strategic Statement set out the strategic objectives and spatial priorities for the area reflecting the content of Local Plans. He confirmed that the statement was consistent with the Mid Sussex District Plan and Economic Development Strategy and drew Members' attention to tabled amendments which were small changes that the Strategic Planning Board had agreed to incorporate into the document. He moved that Members agreed the revised recommendation. This was seconded by the Leader of the Council who advised that this document was a proper reflection of the work being undertaken across the County and had been properly scrutinised by the Members involved in this partnership working.

As there were no further comments, the Chairman took Members to the revised recommendation which was agreed unanimously.

RESOLVED

That, subject to the tabled amendments, Council formally endorses the Coastal West Sussex and Greater Brighton Local Strategic Statement and updated Terms of Reference and Memorandum of Understanding.

79. CRAWLEY DOWN NEIGHBOURHOOD PLAN

Councillor Coote, Ward Member for Crawley Down and Turners Hill stated that he was pleased to recommend the Crawley Down Neighbourhood Plan for adoption. He advised that it had taken considerable time and resources to bring the Plan forward and noted the hard work of everyone involved, in particular Mr John Hitchcock. He moved Members to the recommendation which was seconded by the Cabinet Member for Planning.

The Cabinet Member for Planning reminded Members that the Crawley Down Neighbourhood Plan had undergone a successful Examination and received considerable support at the referendum on 10 December 2015.

As there were no further comments, the Chairman took Members to the recommendation which was agreed unanimously.

RESOLVED

That Council agrees to formally make the Crawley Down Neighbourhood Plan part of the Local Development Plan. This will enable the District Council to use the plan to determine planning applications in Crawley Down.

80. BURGESS HILL NEIGHBOURHOOD PLAN

Councillor Barrett-Miles, Ward Member for Burgess Hill – Dunstall presented the report and stated that he was pleased to see the Plan come to fruition after many years hard work. He went on to thank officers for their hard work, particularly at the public hearing and ended by saying that the Plan had received 86% support at the referendum and moved Members to the recommendation. This was seconded by the Cabinet Member for Planning.

The Cabinet Member for Planning thanked the Members from Burgess Hill for their contributions in bringing about the Neighbourhood Plan.

As there were no further comments, the Chairman took Members to the recommendation which was agreed unanimously.

RESOLVED

That Council agrees to formally make the Burgess Hill Neighbourhood Plan part of the Local Development Plan. This will enable the District Council to use the plan to determine planning applications in Burgess Hill.

81. RECRUITMENT OF INDEPENDENT PERSONS FOR STANDARDS MATTERS

The Solicitor to the Council introduced the report and advised that the two independent persons that serve the Standards Committee had been appointed to serve a four year term which would expire in April 2016. He stated that the report outlined the recruitment process to appoint two new persons and reminded Members that the Council was required to have two independent persons under the Localism Act.

One Member queried whether the existing persons could be invited to serve again if the Council receives no applications.

The Solicitor to the Council advised that the existing persons were free to re-apply however he had received an indication from one of the current appointees that he wishes to step down after his term expires.

As there were no further comments, the Chairman took Members to the recommendations which were agreed unanimously.

RESOLVED

That Council agrees:-

- (1) the recruitment process for the Independent Persons;
- (2) to an Appointments Panel to interview candidates for the Independent Persons for Standards Matters to consist of the Cabinet Member for Finance and Service Delivery, the Chairman of the Standards Committee and the Solicitor to the Council; and
- (3) to receive the recommendations of the Appointments Panel at the meeting of Council in March 2016, with a view to appointing Independent

Persons for a four year term from 1 May 2016.

82. RECRUITMENT OF INDEPENDENT PERSON FOR INDEPENDENT REMUNERATION PANEL

The Solicitor to the Council introduced the report and advised that the term of office for one Member of the Independent Remuneration Panel would expire in April 2016. He advised that the report outlined the recruitment process to appoint a new Member to start from 1 May 2016.

As there were no comments, the Chairman took Members to the recommendations which were agreed unanimously.

RESOLVED

That Council agrees:-

- (1) the recruitment process for the Independent Person;
- (2) to an Appointments Panel to interview candidates to consist of the Leader of the Council, the Cabinet Member for Finance and Service Delivery, and the Group Whip; and
- (3) to receive the recommendations of the Appointments Panel at the meeting of Council in March 2016, with a view to appointing the new Independent Person for a four year term from 1 May 2016.

83. POLLING PLACES 2016

The Solicitor to the Council advised that this was an annual report to list the Polling Stations in the District which are not in the ward that they serve. He drew Members' attention to an error in the report at paragraph 7 as Haywards Heath Baptist Church is not in the Haywards Heath – Franklands ward and that this would form an additional recommendation for Members to agree.

One Member commented that they were pleased to see the use of the newly completed Rawson Hall as a polling station for Bolney.

As there were no further comments, the Chairman took Members to the recommendations, including the additional recommendation from the Solicitor to the Council, and these were agreed unanimously.

RESOLVED

The polling places for all polling districts be defined as the entire District Council ward in which the polling district is situated, with the following exceptions:

- (a) Polling Place for Polling District BCF in Herontye Ward be designated East Court, College Lane, East Grinstead;
- (b) Polling Place for Polling District BEC in Town Ward be designated East Court, College Lane, East Grinstead;

- (c) Polling Place for Polling District BAC in Ashurst Wood Ward be designated East Court, College Lane, East Grinstead;
- (d) Polling Place for Polling District KFB in Victoria Ward be designated the Triangle Leisure Centre, Triangle Way, Burgess Hill;
- (e) Polling Place for Polling District FCB in High Weald Ward be designated King Edward Hall, High Street, Lindfield;
- (f) Polling Place for Polling District KEE in Dunstall Ward be designated St Edward the Confessor Church Hall, Burgess Hill;
- (j) Polling Place for Polling District IE in Cuckfield Ward be designated Ashenground Community Centre, Vale Road, Haywards Heath; and
- (k) Polling Place for Polling District HAB in Franklands Ward be designated Haywards Heath Baptist Church, Sussex Road, Haywards Heath.

84. REPORT OF THE LEADER

The Leader began by paying tribute to Pat Bailey, former Chairman of Mid Sussex District Council. He said that he had provided many years of service to the community and had supported him at the beginning of his career as a Councillor.

He reported that the work on the service plans and corporate budget for the forthcoming year and that due to the work started by the Council several years earlier, the Council was able to meet the challenges ahead more readily than many neighbouring authorities. He said that he was proud of the prudent financial management the Council had undertaken and asked Members to help convey this message to the community.

The Leader thanked all those involved in Neighbourhood Plan work across the district and underlined the importance of bringing these plans forward. Whilst he acknowledged the widespread support given to make Neighbourhood Plans they can only be given full weight as part of an adopted District Plan.

He went to explain that the Council was continuing to engage with important stakeholders such as Coastal West Sussex, Greater Brighton Economic Board, Coast to Capital and actively participating in discussions with these partnerships to deliver key investment. He went on to say that the Council was bidding for Local Growth Deal funding for £28 million to support the infrastructure and transport needed for the new development of Burgess Hill.

85. REPORT OF CABINET MEMBERS

Report of the Deputy Leader and Cabinet Member for Finance and Service Delivery

The Deputy Leader added his words of tribute to Pat Bailey who had served as his predecessor for the Haywards Heath – Heath ward. He said he was grateful for the support and knowledge he had imparted and his service to the community.

He outlined further details from the Local Government Settlement which had arrived

late this year. He explained that it outlined the withdrawal of Revenue Support Grant within two years and that in years 3 and 4 there would be the introduction of a “negative grant” whereby a tariff would be imposed of around £1 million. It was noted that the Government was calculating local authorities’ spending power and that after a four year freeze in Council Tax was assuming that authorities would now increase the Tax.

The Deputy Leader said that the outlook had worsened from that predicted but that the approach the Council had adopted over the past few years had put it in good stead to meet these challenges. It was important to maintain a strong financial position in order to best serve the community and that despite these restraints they were still able to invest in capital projects such as Green Waste service expansion. He advised that the Council was in a better position than most neighbouring authorities who were facing higher deficits and having to rely on reserves to supplement the revenue account, a practice which the Council has not had to adopt. He thanked the Scrutiny Committee for its detailed examination of the Corporate Plan and Budget proposals and said that the final version will be considered by Council in February.

The Deputy Leader informed Members that Cabinet would be considering the latest Budget Management report at its next meeting and that there continues to be an over-achievement of income especially within Development Management and Parking. He said that this indicated a stronger local economy and that this income can be used to make proactive investments.

Several Members raised concerns about the “negative grant” and felt that the Council and its residents were being unduly punished for prudent fiscal management and asked the Deputy Leader what representations will be made to Government to ensure that they will not be adversely affected by this clawback.

The Deputy Leader stated that shire districts, such as Mid Sussex, had always made bigger contributions than others and that the Government’s new concept of assessing spending powers to ensure that all local government was experiencing the same level of reduction was a reality the Council had to face. However, he said that the District Council’s Network and the LGA were making representations to Government on this issue and that he and the Leader would take Members’ concerns to these discussions.

Report of the Cabinet Member for Economic Development and Property

The Cabinet Member for Economic Development and Property advised that process of implementing the Council’s aspiration for financial independence came through utilising the Council’s assets and properties. He informed Members that the £10 million investment work into the Orchards Shopping Centre in Haywards Heath was shortly to commence.

He advised that work was also underway to support local businesses and stimulate further economic development and to this end £330k worth of investment in two of the Council’s car parks had been undertaken. This will increase the capacity for Haywards Heath and Burgess Hill and advised that the income from parking was continuing to increase due its competitive charges and the increase in people travelling into the district.

Report of the Cabinet Member for Planning

The Cabinet Member for Planning began by thanking Members for formally adopting the Crawley Down and Burgess Hill Neighbourhood Plans. He advised that this brought the total to 6 Neighbourhood Plans being formally made, with a further 3 going out to referendum the following day. In addition, there were another 5 currently undergoing Examination and he commented that this was a huge achievement. He thanked the hard work undertaken by the parishes.

He advised that the consultation on the focussed amendments to the District Plan was now over and officers were going through the 125 responses.

Report of the Cabinet Member for Health and Community

The Cabinet Member for Health and Community advised that he had attended the Police and Crime Commissioner Scrutiny Panel where the precept increase of £5 for a Band D property had been agreed. He advised that following recent research conducted by the PCP, two-thirds of residents indicated they were willing to pay more for policing in West Sussex and that this increase was modest in comparison to other areas such as Surrey.

He advised that the Mid Sussex Partnership Board had received its annual report and that a high level of progress had been made in areas such as youth issues, vulnerable families and crime and disorder.

The Cabinet Member informed Members that he had also attended a meeting of the Health and Wellbeing Network where the "Heat for Health" initiative had been launched. This focuses on raising awareness and advice on how to stay warm for vulnerable residents with grants being awarded to older people over 65 and families with under 5s who are living in fuel poverty. He advised that currently 7% of the population of the district were living in fuel poverty and they had an obligation to help these people.

86. NOTICE OF MOTION UNDER COUNCIL PROCEDURE RULE 11

The Chairman invited Councillor Bradbury to introduce his Motion

Councillor Bradbury began by requesting that his motion be amended to read:

"This Council believes that the increase in FOBTs is causing significant problems and believes that the Government should act to reduce the maximum stakes and slow down the speed of play. Council therefore requests the Leader to write to the Chairman of the Local Government Association recommending a reduction in the maximum bet per spin on FOBTs to £2."

In proposing the Motion, Councillor Bradbury referred Members to the discussion of Fixed Odds Betting Terminals at the meeting of Council on 16 December 2015 and advised that there was currently a submission to Government from 96 Councils across the UK to petition Government to fix the maximum bet per spin to £2. He urged the Council to add its voice to the campaign so as to protect the most vulnerable people in the community from the addictive and harmful effects of this form of gambling.

Councillor Bradbury cited the Government's efforts to restrict Roulette to Casinos due to its speed of play and high stakes but advised that the play on FOBTs was 5

times faster than Roulette and that it was a solitary and unsupervised activity. He went on to say that there were 3.28 million problem gamblers a year in the UK and that vulnerable young adults in particular needed to be protected. He urged Members to support the Motion, which was seconded by Councillor Wilkinson.

One Member spoke against the Motion and advised that there were 10 betting shops in Mid Sussex and that no complaints had been received from residents about these establishments. He went on to raise concerns about the wording of point 2 of the Motion:

- (2) That, unlike fruit machines in pubs, bingo halls and amusement arcades, where cash stakes are limited to £2, gamblers can bet with cash or via a debit card up £100 every 20 seconds on FOBTs.

He stated that the ability to use debit or credit cards on these machines was incorrect. He also advised that the machines offer constant electronic warnings to players and that betting office staff are trained to recognise warning signs of addiction and to intervene.

He also had reservations about what the impacts of reducing the maximum bet to £2 which might cause the revenue of betting establishments to fall and cause them to leave gaps in the high street to be filled by unscrupulous operators. He suggested that the Motion was premature and that the proper route would be to make representations via the LGA who are currently undertaking this work.

Another Member was concerned with the rise of FOBTs and supported the Motion as gambling was a life destroying addiction and that people were able to lose vast sums of money in a matter of minutes.

One Member said that the rise of internet gambling was a more pressing problem and felt that further consideration needed to be undertaken before committing the Leader to any course of action which might potentially undermine the Council's credibility.

The Cabinet Member for Health and Community said that following the discussion at Council 16 December 2015 he was advised that the LGA was undertaking research on this issue. Furthermore, he stated that whilst this was not a problem locally the Council had a duty to assist vulnerable people that can be tempted by these machines and therefore urged the Council to support the work of the LGA.

There were further comments from Members, in support and against the Motion with many saying that they wanted to support the work of the LGA.

Councillor Brunsdon proposed an amendment to the Motion to read as follows:

“This Council believes that the increase in FOBTs has the potential to cause significant problems and believes that the Government should act to reduce the maximum stakes and slow down the speed of play. Council therefore requests the Leader to write to the Chairman of the LGA to encourage it work into our areas of concern recommending a reduction in the maximum bet per spin on FOBTs to £2.”

This was seconded by Councillor Andrew Lea who felt this was a sensible modification to the Motion. Councillor Pete Bradbury supported the amendment to the Motion and this was seconded by Councillor Wilkinson who withdrew their earlier Motion.

The Leader of the Council said that he had listened carefully to the debate and noted that the common ground for all Members was to support the work of the LGA. He advised that in addition to this the Government would shortly be undertaking a spectrum wide review of Gambling and therefore felt that the wording of the Motion needed to be clearer.

After careful consideration, the Leader proposed an amendment read as follows:

“This Council notes the work of the LGA in respect of FOBTs and supports its continuing research and representations to government.”

The Chairman asked Councillor Brunsdon if she would like to withdraw her Motion and second the amendment proposed by the Leader of the Council. Councillor Brunsdon agreed to both points.

The Leader’s amendment then became the substantive Motion.

The Chairman took Members to a vote on the Motion by the Leader of the Council:

“That this Council notes the work of the Local Government Association on FOBTs and supports its continuing research and representations to Government.”

The motion was carried with 43 votes in favour, 0 votes against and 1 abstention.

RESOLVED

That this Council notes the work of the Local Government Association on FOBTs and supports its continuing research and representations to Government.

87. QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE 10.2

None.

Chairman