

**Minutes of a meeting of Cabinet
held on Monday, 14th September, 2020
from 4.00 pm - 5.38 pm**

Present: J Ash-Edwards (Chair)
J Llewellyn-Burke (Vice-Chair)

J Belsey
R de Mierre

S Hillier
A MacNaughton

N Webster

Also Present: Councillors A Bennett, R Bates, P Brown, P Chapman,
R Eggleston, A Eves, I Gibson and R Salisbury

The Leader introduced the meeting and advised that only Cabinet Members and Senior Officers have their cameras turned on but other Democratic Services Officers and observers are present at the meeting.

1. ROLL CALL AND VIRTUAL MEETINGS EXPLANATION.

The Leader conducted the roll call to confirm the Members present.

Tom Clark, Head of Regulatory Services, advised that new regulations have been introduced to enable the Council to hold its meetings to include those participants attending remotely. To ensure the smooth running of such remote meetings it has been necessary to amend some of the Council procedure rules and such rules have been amended in accordance with urgency powers in the scheme of officer delegation to keep the Constitution legally updated.

2. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.

No declarations were made.

3. TO RECEIVE APOLOGIES FOR ABSENCE.

No apologies were received.

4. TO CONFIRM MINUTES OF THE MEETING OF THE CABINET HELD ON 19 AUGUST 2020

The minutes of the meeting held on 19 August 2020 were agreed as a correct record.

5. TO CONSIDER ANY ITEMS THAT THE LEADER AGREES TO TAKE AS URGENT BUSINESS.

The leader had no urgent business.

6. REVISED CORPORATE PLAN AND BUDGET

Kathryn Hall, Chief Executive, introduced the report which set out revisions to the Council's Corporate Plan 2020/21 to reflect the impact of the Covid-19 crisis. She

noted that the report was subject to debate at the Scrutiny Committee for Leader, Finance and Performance with the minutes of meeting attached as an appendix to the report.

The Deputy Leader referred to the debate at the Scrutiny Committee for Leader, Finance and Performance. She noted the financial impact of the crisis on the Council.

The Cabinet Member for Community supported the report. He commented that as the nation rebuilds both nationally and locally there are opportunities to create a society with a less negative environmental impact than previously and welcomed the inclusion of environmental responsibilities alongside economic responsibilities in the report.

The Cabinet Member for Environment and Service Delivery welcomed the revision of the waste service provision targets and looked forward to both the waste service redesign and proposals to improve the walk and cycle routes in the District.

The Cabinet Member for Economic Growth outlined that he has seen a greater sense of community amongst residents. He was pleased and impressed to see the sustainable economic growth programme appear in the report and to still see the aspiration to develop the A2300 travel corridor in Burgess Hill.

The Cabinet Member for Housing and Planning commended the comprehensive and well written document. He drew attention to the impact of the crisis on the planning and housing services.

The Leader believed that the Council needs the Recovery Plans. He mentioned the need to learn lessons to see how people have changed in their interaction with the Council. He too highlighted the financial impact of the crisis on the Council. He proposed an amendment to Recommendation 4ii on P.7 of the report adding at the end 'and ask officers to review the level of these aspects and report to the 21/22 Corporate Plan process'. He explained that the additional wording was included as work will be starting shortly on the Corporate Plan 21/22 which will be able to provide better information on the revenue savings and use of reserves.

He took the Members to the recommendations, contained in the report and amended recommendation which were agreed unanimously.

RESOLVED

The Cabinet considered and commented on:

- (i) The Recovery Plans outlined in Appendices A to C;
- (ii) The advice and suggested changes to the Council's financial strategy and Medium-Term Financial Plan (MTFP) outlined in Appendix D, specifically the use of reserves and revenue savings to help deal with the impact of the crisis; and ask officers to review the level of these aspects and report to the 21/22 Corporate Plan process.
- (iii) The proposed Governance Review (Appendix E) and its overarching principles;
- (iv) The advice about the Council's Corporate Priority Projects (CCPs) in Appendix F;
- (v) The performance of the Council during the first quarter of this year (Appendix G) and proposed changes to performance indicators as outlined in Appendix H; and

- (vi) The comments of the Scrutiny Committee for Leader, Finance and Performance.

7. BUDGET MANAGEMENT 2020/21 - PROGRESS REPORT APRIL TO JULY 2020

Peter Stuart, Head of Corporate Resources, introduced the report which reviewed the progress on the Revenue Budget, Capital Programme and Revenue Projects and Treasury Management for 2020/21. He outlined a pressure of £6m overspend/under-income which is unprecedented but not dissimilar from situations faced by other councils across the country. He stated that the pressure is offset by grant funding from Central Government, totalling £1.7m; the Central Government Income Compensation Scheme is set to provide some £2.1m which would further offset the overspend/under-income. He added that the Council has reviewed its specific reserves that have either not been or will not be used in future to give back to the general reserves to provide more headroom.

The Deputy Leader believed that the £6m loss should not be underestimated. She noted that a large amount of income is generated to the Council's own estate which has been severely affected.

The Cabinet Member for Community was pleased to see that a number of specific reserves were being listed as having no further call on them. He added that the Council has worked hard to build up the reserves.

The Cabinet Member for Economic Growth outlined that it is an incredibly tough time for the Council which faces serious challenges to balance the books.

The Leader reiterated the importance of balancing the expenditure to keep key Council services running. He noted that the forecast cost for this year to keep the Council's leisure centres open is approximately £2.5m.

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

RESOLVED

The Cabinet noted the report and recommend to Council:

- (i) that £504 grant income relating to New Burdens funding to meet costs of implementing Local Allowance changes be transferred to General Reserve as detailed in paragraphs 33;
- (ii) that £11,630 grant income relating to Rough Sleepers Initiative be transferred to Specific Reserve as detailed in paragraph 34;
- (iii) that £40,000 grant income relating to Neighbourhood Planning be transferred to Specific Reserve as detailed in paragraph 35;
- (iv) that £45,000 grant income from the Business Rates Pool received in respect of Journey to Work funding be transferred to Specific Reserve as detailed in paragraph 36;
- (v) that £10,870 grant income relating to the costs of the move to Individual Electoral Registration be transferred to Specific Reserve as detailed in paragraph 37;
- (vi) that £46,230 grant income relating to the Planning Performance Agreement be transferred to Specific Reserve as detailed in paragraph 38;
- (vii) that Specific Reserves be re-designated as detailed in paragraphs 39 to 44;

- (viii) that Specific Reserves totalling £1,850,959 be transferred to General Reserve as detailed in paragraph 29 and Appendix B;
- (ix) the variations to the Capital Programme contained in paragraph 52 in accordance with the Council's Financial Procedure rule B3.

8. CLAIR HALL

Judy Holmes, Assistant Chief Executive, introduced the report. She noted that any decision relating to the lease of the Redwood Centre is separate to any decision made about Clair Hall and that Cabinet received 51 representations and a petition against the closure of the Hall.

The Leader thanked the public for submitting the representations and for the petitions. He stated that Cabinet had considered them all carefully. He asked whether further clarity could be provided about the responsibilities of Place Leisure (PL) in the contract to administer Clair Hall.

The Assistant Chief Executive confirmed that there were no restrictions placed on PL and the contract required them to operate Clair Hall in the same way they operate the leisure centres. She turned to the Divisional Leader for Commercial Services and Contracts to provide the utilisation data for 2019.

Rob Anderton, Divisional Leader for Commercial Services and Contracts, outlined the headline figures of total usage compared to capacity in the study; 53% for the Main Hall, 54% for Studio, 42% of Function Suite, 17% for the Dressing Rooms.

The Leader noted that the government guidance advises people not to meet in person and instead meet electronically as well as reducing the number of members from different households meeting. He said that the vast majority of the users would not be able to hire the hall, even if the hall could accommodate them.

The Divisional Leader for Commercial Services and Contracts highlighted that live performances require social distancing which means they can only operate at 25% capacity which does not make it economically viable.

The Cabinet Member for Environment and Service Delivery thanked all the residents who expressed concern over the closure of the Hall. He noted the usage of the Hall, notwithstanding the restrictions imposed to control the pandemic, was declining and that in the Haywards Heath Masterplan 2007 Clair Hall was described as 'outdated'. He believed that this was an opportunity to look at the future of the site. He asked whether the word 'potential' could be removed from the recommendation to give residents more confidence.

The Cabinet Member for Economic Growth questioned the income projections for the proposed temporary car park.

The Assistant Chief Executive explained that the forecasts were based on 60/70% capacity. She added that there is a flexible monitoring mechanism with the Budget Management Reports.

The Cabinet Member for Economic Growth discussed relocation of users. He believed that the Council worked effectively to relocate users of the Martlets Hall and couldn't see why it can't be done here. He wanted to ensure that all voices were heard, not just the loudest and ensure that the taxpayer's money is not wasted paying for a venue that is underused and could be improved.

The Cabinet Member for Community stated that Clair Hall was currently in the situation where it required maintenance investments. He mentioned that venues require 65% capacity just to break even therefore it would not be viable to hold events given the current restrictions. He believed that the bookings could be accommodated elsewhere, perhaps at nearby schools which would further the income that the local schools receive.

The Cabinet Member for Housing and Planning understood residents' concerns and understood that it is hard taking away a building that so many people have cherished. He noted that it will cost a significant amount of money to bring the building up to the minimum requirement for efficiency, with the new legislation being implemented in March 2023. He added that building standards were very different when the building was built.

The Cabinet Member for Customer Services believed that closing the facility was right, especially in light of the continuing presence of the virus and the ongoing drop in usage. She stated that the Council has a duty to meet not just the needs of the residents currently but the future needs of the town as well.

The Deputy Leader mentioned that the building hasn't been fit for purpose since 2007. She highlighted that there are extra facilities in the district and this opportunity allows the Council to look and see what is best for Haywards Heath. She wanted to make something good out of a poorly appearing building and something to match the new development already in the area.

The Leader explained that whilst many residents have used the facility in the past, it is unfortunately past its heyday. The Hall needs to meet the needs of the residents of not only Haywards Heath but also the residents of surrounding areas. He stressed the importance of understanding the business case and understanding the needs of the residents which may be subject to change given the current pandemic. He hoped that users would engage with the Council in due course to grasp the opportunity that has been presented.

He took the Members to the recommendations with the exclusion of the word 'potential', contained in the report and amended recommendation which were agreed unanimously.

RESOLVED

- (i) agree to the continued and permanent closure of Clair Hall with immediate effect;
- (ii) agree to establish a temporary public car park at Clair Hall; and
- (iii) request officers to commission work to develop a business case for the inclusion of a modern community facility as part of the future regeneration of this site or other sites in the town centre.

9. DEMOLITION OF BURGESS HILL LIBRARY

Peter Stuart, Head of Corporate Resources, introduced the report.

The Deputy Leader said this was another step forward for Burgess Hill.

The Cabinet Member for Housing and Planning noted that the building is now empty and that the new library has been constructed nearby. Burgess Hill Members have said that they would like the site to be cleared.

The Leader moved to exclude the press and public for discussion on the exempt report appendix.

10. TO CONSIDER WHETHER TO EXCLUDE THE PRESS AND PUBLIC FROM THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEMS IN ACCORDANCE WITH SECTION 100A OF THE LOCAL GOVERNMENT ACT 1972 ON THE GROUNDS THAT IT INVOLVES THE LIKELY DISCLOSURE OF EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 3 OF PART 1 OF SCHEDULE 12A OF THE SAID ACT.

The Leader proposed that the Press and Public be excluded from the meeting during consideration of the exempt report appendix. This was approved unanimously.

RESOLVED

That the public and press be excluded from the meeting during consideration of the following item in accordance with Section 100A of the Local Government Act 1972, on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act.

11. DEMOLITION OF BURGESS HILL LIBRARY - EXEMPT APPENDICES

The meeting went into closed session at 5:30pm.

The Leader brought the meeting back into open session at 5.37pm on the completion of the exempt business.

The Leader concluded and then took the Members to the recommendations, contained in the report which were agreed unanimously.

RESOLVED

- (i) Agree the proposal to demolish the redundant building;
- (ii) Agree to award the demolition contract to Contractor B, the form of contract proposed to be JCT
- (iii) Recommend to Council that the Capital Programme be amended in the sum set out within the report, to be financed from the Capital Receipts Reserve.

The meeting finished at 5.38 pm

Chairman