

**Minutes of a meeting of Cabinet  
held on Monday, 7th June, 2021  
from 4.00 pm - 4.53 pm**

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

J Belsey  
R de Mierre

S Hillier  
N Webster

**Absent:** Councillors

**Also Present:** Councillors J Dabell, A Eves, I Gibson, S Hatton and  
R Salisbury

**1. ROLL CALL AND VIRTUAL MEETING EXPLANATION.**

The Leader introduced the meeting, he noted the sad passing of Cllr Andrew MacNaughton and asked for a period of quiet reflection. The Leader conducted the roll call to confirm the Members present.

Tom Clark, Head of Regulatory Services advised that The Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012 permit remote attendance at Cabinet meetings provided they are live streamed to allow for public access.

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

Councillor Hillier declared a non-prejudicial interest in item 6 as he is the Chairman of an organisation that uses a building owned by Mid Sussex District Council.

**3. TO RECEIVE APOLOGIES FOR ABSENCE.**

No apologies were received.

**4. TO CONFIRM MINUTES OF THE PREVIOUS MEETING HELD ON 8 FEBRUARY 2021.**

The minutes of the meeting held on 8 February 2021 were agreed as a correct record and electronically signed by the Leader.

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

None.

**6. COMMUNITY MANAGEMENT ASSET TRANSFER POLICY.**

Elaine Clarke, Community Facilities Project Officer introduced the report. She noted the comments made by the Scrutiny Committee for Leader, Finance and Performance on 19 May. The proposed policy is not a new process but creates a framework for the leasing of council buildings to community organisations.

The Deputy Leader emphasised that it is a framework to ensure transparency as the leases and uses of council owned buildings differ. The policy will allow for some flexibility; the buildings must be in suitable locations and be regularly maintained. The benefit of more public open space as part of the Burgess Hill Growth Programme was noted.

The Cabinet Member for Economic Growth welcomed the paper and advised that the policy builds on work of the Council consulting with Town and Parish Councils over the last few years. He commended the scrutiny process and asked for some clarification.

The Community Facilities Project Officer confirmed that monitoring of ongoing maintenance would be carried out by the Estates Team, the policy will strengthen the Council's ability to ensure buildings are maintained regularly. The Head of Regulatory Services advised that the agreed Heads of Terms would also be reflected within the lease, and once the lease is signed any failings of the lessee could be a breach of the lease.

The Cabinet Member for Community advised that Mid Sussex has plenty of public open space as a result of careful planning over many years. The management of these areas is important, and he welcomed the policy.

The Cabinet Member for Customer Services highlighted that the Council reserved the right to appoint a councillor as a nominated non-executive on the Board of the Lessee, and any new lease must be agreed by the Cabinet.

The Leader advised the policy would provide a useful framework when looking at expressions of interest to lease council buildings. He took the Members to the recommendation which was agreed unanimously.

## **RESOLVED**

Cabinet considered the Community Management and Asset Transfer Policy and the revisions suggested by the Scrutiny Committee for Leader, Finance and Performance and agreed the final draft which will be presented to Council for adoption.

## **7. STRATEGIC RISKS 2021-22.**

Peter Stuart, Head of Corporate Resources introduced the report. He highlighted the goals of the report: to agree the revised policy as set out in Appendix B, changes to the Constitution for Council to consider, and to agree the risks identified by the Management Team. The revised policy clarifies and makes substantive changes to bring the Audit Committee up to date, to review governance and risks. He noted that the Chairman of the Audit Committee commented positively on the changes.

He advised that the risks identified by the Management Team reflects the changes in the way the Council operates, technical changes and the impact of the pandemic. The pandemic has led to a large variant in the finances of all councils and could have an impact for several years. A large variant is not sustainable in the long term and

actions taken in the next year will have an impact longer term. Cyber security attacks have had a catastrophic impact on day to day operations. Business continuity is included as the council is IT dependant, and an interruption to the modern working environment could be a strategic risk. He confirmed that the Constitution Review Group would manage any changes to the terms of reference.

The Deputy Leader welcomed the proposed changes to the Strategic Risk Management Policy. She noted the use of reserves to balance the annual budget and that the Council has been financially independent for a number of years. The loss of £1.4m income from the leisure centres was out of the Council's control. The Deputy Leader endorsed the proposals.

The Cabinet Member for Customer Services expressed concern with operational resilience and business continuity. She asked whether the risk of business continuity for personnel is covered as staffing is not mentioned. She commended the officers who kept the council's services operational during the pandemic. Simon Hughes, Head of Digital and Customer Services confirmed that the resilience of the work force is reviewed through work force planning, the metrics on sickness and the ability to recruit. The programme to support staff by the Health and Wellbeing Team has been extended. The data confirmed that the resilience of the work force was not a strategic risk for council, and sickness levels have reduced. As staff can be adequately supported he was confident that it is not a strategic risk.

The Chair took the Members to the recommendations which were agreed unanimously.

## **RESOLVED**

That Cabinet:

- (i) Agreed the Strategic Risks for 2021-22 and management plans set out at appendix A; and,
- (ii) Agreed the MSDC Strategic Risk Management Policy, as set out at Appendix B and supported the consequent changes to the Constitution.

## **8. FINANCIAL OUTTURN 2020 - 2021.**

Peter Stuart, Head of Corporate Resources introduced the report. He highlighted the comprehensive report as the pandemic has impacted the Council's finances. The report explains the details for the variances and the overspend of £1.4m to March 2021. The end of year result was an improved position compared to the prediction in June 2020. This was due to the action of officers, the assistance from Central Government for local authorities with grants and the receipt of £2.1m from the Income Compensation Scheme. He noted the purchase of more temporary accommodation and investment in the Place and Connectivity Programme in Burgess Hill of £2.4m.

The sustainability of the Council in the longer term has improved as the General Reserves have been topped up by reviewing all reserves and returning funds where a need has reduced or is no longer required. He highlighted the return of reserves for leisure insurance, illegal incursions and Gatwick reserves. He confirmed the use of General Reserves to finance last year's budget and noted there is no forecast to use reserves for the 2021/22 budget.

The Deputy Leader welcomed the report, commended the results in the current circumstances and thanked the officers for the comprehensive report. She queried the short-term future expenditure for Gatwick Airport.

Judy Holmes, Assistant Chief Executive advised that a reserve is a best guess to what finance may be needed. She noted it was normal for councils to work on a Development Consent Order (DCO) in partnership with other councils. £41,000 has been retained in the reserve, a planning performance has been agreed with Gatwick Airport Liaison along with an agreement with funding. With a DCO any applicant is expected to fund most the work that is required. Other sources of funding will be available for 2021-22 and work continues.

The Cabinet Member for Economic Growth noted the investment to improve the footpaths in Burgess Hill which has been beneficial to the local residents. He expressed concern over the Council's investment in the Property Fund. The Head of Corporate Resources advised he has discussed this matter regularly with the Deputy Leader. The Local Authority Property Fund does a good job, has good assets and are not overly exposed to retail. The return is currently 3% per annum, he commended them on their consistent performance and advised they are well placed to ride out the current unpredictable circumstances.

The Cabinet Member for Community highlighted the positive impact the airport has on employment and the local economy, the negative impact on the environment and the Council's work to balance airport expansion. He asked for clarification on expenditure for Gatwick in relation to the Council's total. The Head of Corporate Resources advised it was 10% of net budget.

The Cabinet Member for Environment and Service Delivery thanked the officers for the comprehensive report, welcomed the receipts from Hurst Farm which would be used to finance The Orchards Centre purchase. He noted the many challenges of the pandemic and that some improvements on parks and open spaces had been delayed and would be completed in the current financial year.

The Leader thanked the members and noted that this was the first report to detail the considerable cost of the pandemic. He highlighted the cost of work to subsidise the leisure centres, advised that the majority of the council's income is from sources other than Council Tax. The strength of the council's financial position allowed it to underwrite those costs, however this was not sustainable long term. He hoped the figures would soon improve with the relaxation of restrictions and getting the council's finances back on a more sustainable footing was important. Comparing the overspend to the Spring projections, the overspend is less than expected. He took the Members to the recommendations (i) to (vii) which were agreed unanimously.

## **RESOLVED**

That Cabinet noted the contents of this report, and recommended to Council:

- (i) that grant income as set out in paragraph 12 to 19 of this report be transferred to Specific Reserves;
- (ii) that requests totalling £108,000 be transferred to Specific Reserves as set out in Table 1;
- (iii) that £100,000 be transferred to the Community Development Fund Specific Reserve from General Reserve as detailed in paragraph 21;

(iv) that balance of interest totalling £170,031 as set out in paragraph 22 is transferred to the General Reserve;

(v) that Dividend income totalling £8,529 as set out in paragraph 27 is transferred to the General Reserve;

(vi) that the 2021/22 capital programme be increased by £1,556,000 as a result of slippage of some 2020/21 capital projects as detailed in Table 2;

(vii) that the revenue overspend in 2020/21, totalling £1,400,000, be met from General Reserve.

## **9. PERFORMANCE OUTTURN 2020/21.**

Emma Sheridan, Business Unit Leader for Community Services, Policy and Performance introduced the report. She highlighted that despite the challenges of the pandemic the Council had continued to perform well in the delivery of its services, and noted the change of working arrangements, service delivery and new work streams. Any reductions in performance were explained in report along with a few minor changes proposed to performance indicators.

The Deputy Leader highlighted the swift change to agile working practices, new work streams and areas where workload had increased due to the pandemic whilst still continuing with the Council's normal business activities. She endorsed the proposed changes as these will benefit the Council.

The Cabinet Member for Customer Services commended the performance of all teams during the pandemic and noted that Mid Sussex was only one of 12 local authorities to receive the Annual Revenue Grant. The council was in the minority of local authorities that did not have a shortfall in Council Tax income.

The Cabinet Member for Community highlighted the work of the Wellbeing Team and noted that over 1,000 people had been supported by wellbeing initiatives and that all intervention courses are full. During the pandemic anti-social behaviour cases had risen and crime rates had fallen. People must be vigilant as we return to our normal routines. Local authority searches had increased by 38% during lockdown.

The Leader agreed with the comments of the other Cabinet Members and thanked the officers for their hard work especially when dealing with extra work at short notice. He also thanked the scrutiny committee for their comments on the report. He took Members to the recommendations which were agreed unanimously.

### **RESOLVED**

That Cabinet:

(i) Noted the Council's outturn performance and progress with Council Priority Projects in 2020/21 and identified any areas where further reporting or information was required; and

(ii) Agreed to the minor changes to performance targets for 2021/22 included at appendix B to this report.

The meeting finished at 4.53 pm

Chairman