

**Minutes of a meeting of Council
held on 26 July 2023
from 7.00 pm**

Present: R Jackson (Chairman)
J Henwood (Vice-Chair)

M Avery	D Eggleton	G Marsh
A Bashar	R Eggleston	M Miah
R Bates	S Ellis	J Mockford
J Belsey	A Eves	D Pascoe
M Belsey	L Farren	A Peacock
A Bennett	I Gibson	E Prescott
P Brown	S Hatton	C Phillips
G Casella	S Hicks	A Rees
L Carvalho	T Hussain	J Russell
P Chapman	C Hobbs	D Sweatman
C Cherry	M Kennedy	R Whittaker
R Clarke	P Kenny	C Wood
AM Cooke	J Knight	G Zeidler
J Edwards	P Lucraft	

Absent: Councillors K Berggreen, M Cornish, J Dabell, J Hitchcock and A Platts

1. OPENING PRAYER.

The opening prayer was read by the Vice-Chairman.

2. TO RECEIVE QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE 9.

Question from Mr Kirkwood – presented in his absence.

What, in detail, with timelines, is the Council's plan to get NewRiver Retail (NRR) to regenerate Burgess Hill town centre? My understanding is that NRR have the opportunity to regenerate Burgess Hill since 2015 and to date nothing has been done. It is about time that this was sorted and it is upon you and your Council to sort it. Residents of Burgess Hill are frustrated by the way you have dragged your feet regarding this matter.

The following response was provided by the Leader

Thank you for your question. As a Burgess Hill resident for nearly 35 years, I share your frustration about the lack of apparent progress on the redevelopment of the Martlets shopping centre. As you know I have been working hard on behalf of residents to get New River Retail (NRR) to bring a redevelopment forward as soon as possible and have been publicly vocal in that regard.

It is worth reflecting that, whilst the Council is the freeholder of the Martlets shopping centre, NRR holds a 110-year lease. This means NRR is responsible for redeveloping this part of the town centre estate.

Notwithstanding my own frustration about progress on the redevelopment, I firmly believe that NRR are committed to redeveloping and improving the Martlets having invested a significant amount of money over the years, including its original purchase of the lease in 2010 from the Administrators of Thornfield. New River enabled works on the town's, award-winning library. It has also secured, de-contaminated and redeveloped the gas holder site in Leylands Road on which there is now the well-used Lidl store at its cost and relocated the Iceland store to Church Walk all at its cost.

It is also worth recapping that NRR has secured two planning permissions to redevelop the site over the last 7 years. The first in 2016 and the second in July 2021. The harsh reality is that the first of these applications was overtaken by changes in retail trading, such as the rise in online shopping and consequent change in retailers' readiness to take space in town centres. Consequently, NRR secured the second permission that was less reliant on retail and included more leisure and food/beverage uses. However, it is clear that even this revised scheme was not commercially viable to deliver, with the leisure and hospitality industry still trying to recover from the pandemic.

As a result, this Council sought to assist NRR by seeking financial support from the Government. In 2021 and 2022 we worked with NRR and the County Council to submit bids to the Levelling Up Fund for financial support to help make the scheme viable. Unfortunately, on both occasions the government declined to provide any assistance, despite the Council being told that its bids were of high quality and fulfilled all the Government's criteria. This lack of support from the Government was very regrettable. It has left the Council and New River with the difficult task of bringing a redevelopment forward without that essential injection of liquidity.

It is completely understandable that local people are extremely disappointed and frustrated by the current state of the town centre and the lack of progress on the redevelopment. I share your frustrations and that disappointment.

Last year we appointed a firm of highly professional advisers, Lambert Smith Hampton, to work with the Council and New River, to see how the redevelopment can be unlocked. The Council has regular meetings, with LSH to assess progress. Whilst some elements of the redevelopment scheme exist, these are complex and difficult negotiations involving a wide range of commercial players and a successful conclusion of these negotiations still cannot be guaranteed. Given commercial confidentiality it would not be appropriate to elaborate on these negotiations at this time. I wish I could give you a precise timeline on the redevelopment of the Martlets Shopping Centre, but I cannot at this stage. What I can say is that the current planning permission lapses in July 2024 and my personal expectation is that New River will have commenced practical work on the redevelopment of the Martlets Shopping Centre so that it doesn't lose this permission. Whether that will happen I cannot currently predict with any certainty, but it is a horizon point that is being made very clear to New River.

The Council will obviously need to consider a range of options to bring the commercial redevelopment forward if it becomes clear that the horizon point I mentioned cannot be met.

Question from Mr Dawson – presented in his absence.

What provision will there be for youth activities such as social clubs, a gaming room, a cinema or bowling at Clair Hall?

The following response was provided by the Cabinet Member for Finance, Revenues and Benefits.

Our ambitions for Clair Hall are to provide a mixed-use cultural facility and, as we bring plans forward, we will engage with the community and aim to provide the broadest facilities possible and seek to provide for all generations of our residents. Of course, any solution will also need to be financially viable and work within the constraints of the site.

Question from Mr Hardacre

In the local elections the Lib Dems pledged to re-open Clair Hall. Now they have formed the administration, please could the Cabinet Member for Finance (with responsibility for Clair Hall) confirm the latest date by which this will happen.

The following response was provided by the Cabinet Member for Finance, Revenues and Benefits.

We are committed to the long-term future of Clair Hall, and I will be providing a detailed update this evening. Please can I assure you that we are working very hard on options for Clair Hall that provide pace but crucially ensure the best long-term outcome.

Supplementary Question

It is now almost 3 months since the local elections so it is surprising to hear the Administration is unclear on how it will fulfil its election pledges. Could the Cabinet Member at least confirm by when its policy review will be completed and published.

The Cabinet Member agreed to provide a written response.

Question from Mr Pochun

The meanwhile use of Clair Hall by the NHS has been very positive for the local community. Can the Cabinet Member for Finance confirm that the Council will honour the license agreement with the NHS in full and not terminate it prematurely?

The following response was provided by the Cabinet Member for Finance, Revenues and Benefits.

We have a very positive relationship with the NHS, and we are keen to continue to work with them in the longer term. In relation to Clair Hall, we are committed to making best use of the building while we seek long-term solutions and working with the NHS provides an excellent and economically viable interim solution for the community and we have no intention of breaking any contractual agreement.

Supplementary Question

Haywards Heath is my town and it deserves a modern community entertainment and arts venue that is fit for the future to replace the tired 50 year old Clair Hall. Could the Cabinet Member confirm whether or not the Administration is committed to providing a modern facility for local community?

The Cabinet Member agreed to provide a written response.

Question from Mr Bright

On 14th March 2022 MSDC issued a further consultancy brief to finalise the investment plans for Clair Hall with the following requirements: Output required: Assessment of the key financial, strategic and economic considerations.

The October 2022 BOP final report does not contain any detailed financial analysis of the refurbishment investment option called for in the MSDC brief. There is no detailed assessment of the key financial, strategic and economic considerations contained in the report in order to make investment decision. Will MSDC provide information on when the investment information will be available?

The following response was provided by the Cabinet Member for Finance, Revenues and Benefits.

In late 2022 further work was commissioned, which will be reported shortly, including options and viability of both refurbishment and redevelopment.

Supplementary Question

The question is based on preparation of 2 professional investment plans. Redevelopment of the site or refurbishment of the site, showing in each case the timescales for the earliest possible opening of Clair Hall. Nearly 4 years has passed to reach this stage which demonstrates lack of willingness or ability by the Council to bring the project to a stage of professional decision making. Is it true that £350,000 have been spent on consultancy fees?

Can an individual be identified and urgently nominated for the leadership of this particular project who has not been associated with the previous regime. Can Haywards Heath Town Council be made responsible for the site?

As an added point there is disquiet on the accuracy of BOP report on local provision for arts and culture. They declare that Mid Sussex is well provided within 30 minutes of these facilities which calls into question the accuracy of the whole report.

The Cabinet Member agreed to provide a written response.

3. TO BE AGREED BY GENERAL AFFIRMATION THE MINUTES OF THE PREVIOUS MEETING HELD ON 29 MARCH 2023 AND ANNUAL COUNCIL HELD ON 24 MAY 2023.

The Monitoring Officer confirmed that the minutes of the last meetings were a correct record. Council agreed the minutes and they were signed by the Chairman.

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

Councillor Eggleston declared an interest related to item 10 as he is Director of Burgess Hill Community Partnership CIC which has a tenancy on the Martlets shopping centre.

5. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN OF THE COUNCIL AGREES TO TAKE AS URGENT BUSINESS.

None.

6. CHAIRMAN'S ANNOUNCEMENTS.

The Chairman highlighted recent engagements and announced that he will be supporting the charity Winston's Wish for his term of office.

7. DISTRICT PLAN REVIEW - RECOMMENDATION FROM SCRUTINY.

Councillor Eggleston moved the item noting that the Scrutiny Committee has commenced work on the review and has set a timetable for Town and Parish engagement. He confirmed that the engagement will take place during August and September. This was seconded by Councillor J Belsey.

The Chairman took Members to a vote on the recommendation as set out in the report which was approved unanimously.

RESOLVED

The Council agreed to positively engage with Town and Parish Councils prior to the Regulation 19 Consultation.

8. REPRESENTATIVES ON OUTSIDE BODIES.

Councillor Eggleston moved the item noting that there has been one nominee amendment and there are three contested items. This was seconded by Councillor Bennett. The Monitoring Officer conducted a vote by show of hands on the contested appointments:

Friends of Ashenground and Bolnore Wood Steering Committee:

Councillor Bates: 26 votes Councillor Ellis: 16 votes.

Councillor Bates was therefore appointed as the Council's representative.

Gatwick Airport Consultative Committee:

Councillor Cornish: 17 votes Councillor Mockford: 23 votes.

Councillor Mockford was therefore appointed as the Council's representative.

Councillor Edwards withdrew her nomination to the High Weald Joint Advisory Committee. The Chairman took Members to a vote on the remaining recommendations en-bloc. These were approved with 42 in favour and 1 against.

RESOLVED

Council approved the following nominations to Outside Bodies:

Organisation	Member(s) for 2023/24
Action in Rural Sussex	Chris Hobbs
Adastra Hall Management Committee	Kristian Berggreen
Age UK	Alison Rees
Armed Forces Community Covenant Champion	Lorraine Carvalho
Beech Hurst Steering Group (2 places)	Richard Bates Sandy Ellis
Bolnore Village Community Partnership	Paul Lucraft
Burgess Hill Business Parks Association	Robert Eggleston
Citizens Advice Bureau (NEW)	Alison Bennett
Clarion Housing Regional Scrutiny Board	Chris Phillips
Court of the University of Sussex (meeting as the 'Sussex Annual Forum')	Kristian Berggreen
Crawley Down Community Centre Association	Ian Gibson
District Councils' Network	Robert Eggleston
East Grinstead Business Association	Jacquie Russell
Friends of Ashenground and Bolnore Woods Steering Committee	Richard Bates
Friends of Burgess Hill Green Circle Network (2 places)	David Eggleton Janice Henwood
Gatwick Airport Consultative Committee (1 plus a named sub)	Julie Mockford Chris Phillips
Gatwick Noise Management Board	Ian Gibson
Greater Brighton Economic Board	Robert Eggleston Alison Bennett
Greater Brighton Economic Board – Call In Panel	John Belsey
Haywards Heath Business Association	Paul Lucraft
High Weald Joint Advisory Committee	Lorraine Carvalho
James Bradford Almshouses, Haywards Heath – Board of Trustees	Rodney Jackson
Jack and Jill Society for the Preservation of Jill Mill	Richard Bates
LGA General Assembly	Robert Eggleston
Local Strategic Partnerships	Robert Eggleston
Mid Sussex Voluntary Action	Alison Bennett

Organisation	Member(s) for 2023/24
PATROL (Parking and Traffic Regulations Outside London)	Chris Hobbs
Rural Services Network (1 plus a named sub)	Anne-Marie Cooke
	Alison Bennett
Sussex Police and Crime Panel	Alison Bennett
	Alison Rees
Sidney West Centre – Board of Trustees (2 places)	Chris Cherry Matthew Cornish
South Downs National Park Authority	Gary Marsh
South of England Agricultural Society	Jenny Edwards
South East England Councils	Robert Eggleston
St Francis Social and Sports Club Community Interest Company	Paul Kenny
Turners Hill Parish Council Ark Executive Committee	Gary Marsh
West Sussex Climate Change Board	Ian Gibson
West Sussex Leadership Group (formerly the West Sussex LGA Joint Leaders Group)	Robert Eggleston
WSCC Health and Adult Social Care Scrutiny Committee	Adam Peacock
WSCC Joint Scrutiny Steering Group	Sue Hatton

9. REVIEW OF MEMBERS' ALLOWANCES FOR 2023/2024.

Councillor Eggleston moved the item, noting that the recommendations are the same as the report considered by Council on 7 December 2023. This was seconded by Councillor Cooke.

Members discussed the appropriateness of the proposed increase in relation to the workload of Councillors. The Chairman took Members to a vote on the recommendations as set out in the report, which were agreed with 31 in favour, 3 against and 9 abstentions.

RESOLVED

Council considered the recommendations of the Panel and agreed the scheme of allowances for the financial year 2023/024 as set out in paragraph 3 of the report.

10. TO RECEIVE THE LEADER'S REPORT.

The Council received the Leader's update. In response to questions, he confirmed that housing targets are mandatory until such time as the law changes. He also

clarified the meaning of 20-minute neighbourhoods, noting that this was not to be conflated with Ultra Low Emission Zones which the Council cannot implement as it is not a charging authority. With regards to Section 106 funds, he noted that Officers continue to ensure that infrastructure funding is sought from neighbouring Local Authorities for development that affects the District. In response to a question regarding the redevelopment of the Martlets, he confirmed that the intention is for a commercial retail development.

He responded to questions regarding Haywards Heath Town Council's aspirations for District Council assets, confirming that the Clair Hall and Clair Park assets are owned and maintained by the District Council. The District Council will work collaboratively with Town Councils to identify where it is and isn't appropriate to change current arrangements.

11. REPORT OF CABINET MEMBERS, INCLUDING QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.1.

The Council received the Deputy Leader and Cabinet Member for Communities and Communications update. She noted a Member's request for the playdays schedule to be communicated to Parish Clerks. She also confirmed that she is aware of a letter received following a recent meeting of the three towns.

The Council received the Cabinet Member for Finance, Revenues and Benefits update. In response to questions on the interim use of Clair Hall, she confirmed that the NHS could continue there until the contract is satisfied and if there is an economically viable alternative it could be reopened as an entertainment space. The Council is exploring several options, aiming to have a multi functioning cultural centre and community space with mixed entertainment options.

The Council received the Cabinet Member for Leisure and Customer Services update. In response to a question regarding Council playing pitch investment, a paper will be presented to Cabinet to outline investment options. He agreed to provide a written response outlining the current position of all 6 parks including when work will commence on Finches Field. He also provided an update on the green bin service and the opening of the Lido at the Triangle Leisure Centre.

The Council received the Cabinet Member for Sustainable Economy and Housing update. He acknowledged that the Mid Sussex Science week was the right forum to encourage the younger generation's involvement in carbon reduction. With regards to questions on the New Homes Bonus, he confirmed that it was not included in the recent budget, and that the Council will be working with communities to establish the priorities for investment. In response to a question on Housing Associations he agreed that it was essential to work with them to understand the challenges and issues within the District. Regarding infrastructure delivery to resolve traffic issues in the north of the District he is aware that the Council is in discussion with Surrey County Council and West Sussex County Council and agreed to investigate further.

12. QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE 10.2.

Question from Councillor Paul Brown

Recent Planning Committee and District Planning Committee decisions have been determined with Biodiversity Net Gain (BNG) mitigation either not yet secured or secured at an offsite location outside the boundary of both Mid Sussex District and

Mid Sussex Planning Authority. Do you think that most Members of this Council and members of the public would prefer BNG mitigation to be secured both as close as possible to the development receiving grant of planning permission and within this local authority? Can Council prepare a list of sites ready and willing to provide biodiversity mitigation to compensate for the loss of biodiversity on development sites?

Response from the Leader of the Council

Thank you for your questions. In response to your first question, the answer is yes, that would always be our, Natural England and the Government's preference. Although the government Metric for calculating BNG allows for off-site delivery there is a 'Spatial Risk' multiplier which penalises proposals where off-site habitat is located at a distance from the impact site. I would refer you to Section 9 in the Draft District Plan, especially Policies DPN1 and DPN2 which set out this Council's Position. With respect to Strategic Sites in the District, the policies are in the plan and we expect these to exceed the BNG set out in the Environment Act 2021.

In answer to your 2nd point, we will be making a call for sites which owners wish to offer up as being suitable for BNG mitigation soon. The Council will also be considering if any land in its ownership could also be identified for off-site BNG.

The meeting finished at 8.45 pm

Chairman