

**Minutes of a meeting of Council
held on Wednesday, 9th December, 2020
from 6.00 pm - 9.02 pm**

Present: C Trumble (Chairman)
M Belsey (Vice-Chair)

G Allen	J Dabell	Anthea Lea
J Ash-Edwards	R de Mierre	J Llewellyn-Burke
R Bates	B Dempsey	A MacNaughton
J Belsey	S Ellis	G Marsh
A Bennett	R Eggleston	J Mockford
L Bennett	A Eves	A Peacock
A Boutrup	L Gibbs	C Phillips
P Bradbury	I Gibson	M Pulfer
P Brown	S Hatton	R Salisbury
H Brunsdon	J Henwood	S Smith
R Cartwright	S Hicks	A Sparasci
P Chapman	S Hillier	L Stockwell
R Clarke	T Hussain	D Sweatman
E Coe-	R Jackson	R Webb
Gunnell White	J Knight	N Webster
P Coote	C Laband	R Whittaker
M Cornish	Andrew Lea	
R Cromie		

1. ROLL CALL AND VIRTUAL MEETING EXPLANATION.

The Chairman welcomed everyone to the meeting. A roll call of Members present was taken. The Head of Regulatory Services provided a virtual meeting explanation.

2. OPENING PRAYER.

The opening prayer was read by the Vice-Chairman.

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

The following questions were received from Mr Floyd:

With regarding to the development of Portsmouth Wood for residential housing we would like to submit the following questions. What flooding incidents has the Council recorded around the site and when? What actions has the Council taken and what further actions does it propose to take in order to solve the problem? What would have to happen for the Council to issue a stop order on construction, pending an independent expert examination with recommendations for a solution?

Response from the Cabinet Member for Housing and Planning, Councillor Andrew MacNaughton:

1) What flooding incidents has the Council recorded around the site and when.

The Council records incidents of surface water flooding which are reported to them. We have had historic reports of surface water run-off issues with this site and High Beech Lane. These have mainly coincided with the historic planning applications for this development which date back to 1987. More recently the Council is aware of incidences in 2018 and 2019 when there was surface water run-off from the fields along High Beeches Lane and an incident was reported to the Council during the weekend of 14th / 15th November 2020 at Barrington Close.

Assessment of flood risk is based on on-site technical analysis carried out by qualified hydraulic and hydrological engineers who undertake a flood risk assessment and flood modelling. Although anecdotal reports of flooding must be treated carefully they can be helpful. For example your email to the Council dated 20th Feb 2020, advised that the previous land owner of the development site had installed a large land drainage system to capture and direct surface water run-off from the area and this type of information helps to inform and support the flood modelling.

As a result of the flood risk assessment and flood modelling it is the opinion of the Flood Risk and Drainage Engineers that a few properties adjacent to the site are at a higher level of surface water flood risk under heavy rainfall conditions.

2) What actions has the Council taken and what further actions does it propose to take in order to solve the problem.

It is important to note that High Beeches Lane and the surrounding area was affected by incidents of surface water flooding prior to the commencement of the development of the adjacent site. The recent incidents of surface water flooding have been caused by rain deluges and have not been caused by works at the adjacent development site.

The developer of this site is under no obligation to improve the existing flood risk. The only thing the developer must do, is not make the existing flood risk any worse. This is achieved by capturing all of the surface water that falls upon its impermeable areas (roads, roofs, etc.), and holding it in an attenuation system.

The Council takes drainage matters seriously. The issues of surface water drainage on the Portsmouth Wood site were assessed as part of the determination of the planning application. The permitted development and its drainage scheme has been carefully considered and designed by flood risk and drainage engineers in line with current best practice and guidance. The Council's Flood Risk and Drainage Engineers are satisfied that the proposed drainage system is compliant and suitable for the proposed development.

In the interim, given the recent flooding incidents, Council officers have been working with the developer to instigate temporary measures to help prevent further incidents during the construction period and before the approved permanent drainage works are constructed.

3) What would have to happen for the Council to issue a stop order on construction, pending an independent expert examination with recommendations for a solution.

Enforcement action can only be taken when there is a breach of planning control. In this instance the development benefits from planning permission and there has been no breach of planning control. There are therefore no powers to require the works on the site to stop.

Mr Floyd raised a subsequent query relating to flooding that took place on 3 December at this site. The site manager had concerns with the volume of water in the drainage gully and the water pump continued until 7pm. Mr Floyd noted that the Council is of the opinion that the cause is surface water but he felt this volume illustrated it came from an underground spring caused by excavation work and sought further comment from the Cabinet Member on this matter. The Cabinet Member agreed to provide a written response.

4. TO CONFIRM MINUTES OF THE MEETING OF COUNCIL HELD ON 4 NOVEMBER 2020.

The minutes of the meeting of Council held on 4 November were agreed as a correct record of the meeting.

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

The Leader declared a non-pecuniary prejudicial interest in item 14 as Chairman of the Sussex Learning Trust. Councillor Pulfer declared a non-pecuniary but prejudicial interest in item 14. Both Members will not take part in discussion on this item.

Councillors Knight, Cromie, Bates, Ellis, and Laband declared a personal interest in item 14 as Members of Haywards Heath Town Council. They are entitled to take part in discussion and vote on the item.

Councillor Hillier declared a personal interest in items 10 and 14 as a West Sussex County Councillor.

Councillor Jackson declared a personal interest in item 11 and 17 as a Member of Hurstpierpoint and Sayers Common Parish Council.

Relating to item 17, the following Councillors declared a personal interest: Councillor Gibson as a Member of Worth Parish Council, Councillor Hatton as a Member of Hassocks Parish Council and Councillor Phillips as a Member of Copthorne Neighbourhood Plan Steering Group.

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

None.

7. CHAIRMAN'S ANNOUNCEMENTS.

The Chairman noted that the Applauds Awards have now been awarded to recipients and a film celebrating the winners is due to be released imminently. He drew Member's attention to two current fundraising activities Chairman's charities and thanked Members for their support. He also read a statement on behalf of the Armed

Forces Covenant Champion which thanked Members and Officers for their participation in wreath laying at Remembrance Services this year.

8. REVIEW OF MEMBERS ALLOWANCES - 2021-22.

The report was introduced by Mr Neil Gershon, Chairman of the Independent Remuneration Panel. He noted that due to the exceptional circumstances of 2020, the Panel felt it was appropriate to recommend no increase to Member's Allowances for 2021/22. The only exception being to the childcare and dependent carers expenses which are linked to the national rate, and the appointment of an additional Independent Member for Standards, which results in an additional £750 per year.

Councillor Webster moved the item and thanked the Panel for their work. This was seconded by the Leader.

The Chairman took Members to a vote on the recommendations contained in the report which were approved with 48 in favour.

RESOLVED

That Council:

- (i) thanked the Panel for their work;
- (ii) considered the recommendations of the Panel, and
- (iii) agreed a scheme of allowances for the financial year 2021/22.

9. COUNCILLOR ABSENCE DUE TO ILL HEALTH.

The Leader moved the item, which sought to approve the absence of Councillor Walker due to ill health in order for him to continue as a Councillor. He noted that Councillor Dabell (as other Ward Councillor) has been attending to ward matters in Councillor Walker's absence, and he sent best wishes to Councillor Walker for a speedy recovery. This was seconded by Councillor Marsh who noted it was a standing agreement with Parties that such a report be presented to approve absence in the event of ill health. A Member expressed sympathy but noted that resignation may be an alternative as Wards are better represented by 2 people. A number of Members expressed messages of support to Councillor Walker and looked forward to his return to Councillor duties.

The Chairman took Members to a vote on the recommendation contained in the report which was approved with 47 in favour, 3 against and 1 abstention.

RESOLVED

That the absence from meetings of the Authority of Councillor Neville Walker for a period of six months from 16 July 2020 be approved due to a period of continuous ill health.

10. PARKING STRATEGY AND ACTION PLAN 2020-2030.

Councillor Hillier moved the item and thanked the Chairman and Members of the Working Group for their constructive engagement and approval of the Strategy. He noted the Strategy is high level and if approved, work can progress on the action plan. He drew Members attention to two main points; that the car parks in the District need to support the local economy, and that there is a need to improve the

experience for residents with potential measures such as electronic displays of available spaces. This was seconded by Councillor Marsh.

In response to a query over free car parks in villages, the Cabinet Member noted that there are costs involved in providing all car parks and the strategy allows for measures to be put in place to maximise usage of the space for shoppers, rather than full time parking, which would continue to support the vitality of the villages.

Discussion was held around season tickets, noting that the impact of Covid is yet to be seen regarding the season ticket requirements of those returning to work. Prices will be reviewed to ensure they are attractive for businesses and the emphasis is on season tickets for residents working within the District. In-car technology and a modal shift to more sustainable transport was discussed, as well as the need for more dynamic costings depending on location. It was noted that the Strategy will have an annual review presented to the Scrutiny Committee and discussed by Cabinet. The Cabinet Member welcomed any questions from Members in the meantime as he receives updated metrics on a regular basis. The Cabinet Member agreed to look at the links to information contained in the report as it was noted that some were not working correctly.

The Chairman took Members to a vote on the recommendation contained in the report which was approved with 44 in favour, 3 against and 4 abstentions.

RESOLVED

That Council approves the Parking Strategy and Action Plan 2020 – 2030.

11. COUNCIL TAXBASE 2021/22.

The Deputy Leader moved the item noting it was an annual report and statutory obligation for the Council. The information has been shared with Town and Parish Councils and no comment received. The Leader seconded the item.

The Chairman took Members to a vote on the recommendations contained in the report which were approved with 50 in favour and 1 abstention.

RESOLVED

(a) Pursuant to the Head of Finance's report and in accordance with the Local Authorities (Calculation of Tax Base) (Amendment) (England) Regulations 2003, the amounts calculated by Mid Sussex District Council as its tax base for the whole area for the year 2021/22 shall be 62,223.8 and for each parish area for the year 2021/22 shall be:

Albourne	310.2
Ansty & Staplefield	1,182.3
Ardingly	752.1
Ashurst Wood	753.1
Balcombe	838.4
Bolney	648.3
Burgess Hill	12,255.0
Cuckfield	1,686.0
East Grinstead	11,456.0
Fulking	147.2

Hassocks	3,489.7
Haywards Heath	12,199.9
Horsted Keynes	704.5
Hurstpierpoint & Sayers Common	3,126.1
Lindfield	2,848.4
Lindfield Rural	1,605.5
Newtimber	40.2
Poynings	132.0
Pyecombe	133.5
Slaugham	1,481.5
Turners Hill	654.3
Twineham	154.1
West Hoathly	956.4
Worth	4,669.1

12. RECOMMENDATIONS FROM CABINET HELD ON 23 NOVEMBER 2020.

The Deputy Leader moved the item concerning the half yearly progress report on budget management. She acknowledged the net overspend position was as a result of the Covid 19 Pandemic and funds from the Council's reserves and Government grants are being used to mitigate this.

The Chairman took Members to the recommendations as contained in the report which were approved with 48 in favour and 3 abstentions.

RESOLVED

That Council approved:

(i) that £3,862 grant income relating to Rough Sleepers Initiative be transferred to Specific Reserve as detailed in paragraph 36 of the Cabinet report;

(ii) the variations to the Capital Programme contained in paragraph 53 of the Cabinet report in accordance with the Council's Financial Procedure rule B3.

13. 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 Chairman to Members to a vote on the above paragraph, which was agreed with 48 in favour and 3 abstentions.

RESOLVED

That the Press and Public be excluded 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.

14. EXEMPT REPORT - TRANSFER OF LAND AT HAYWARDS HEATH.

The meeting moved into exempt session at 7.12 pm and returned to open session at 8.05pm.

15. TO RECEIVE THE LEADER'S REPORT

The Leader noted that with regards to the Covid19 pandemic, the new local tiered system is in place. West Sussex is in Tier 2, with a review taking place on 16 December. Additional business grants have been made available to those adversely affected by the Tier 2 restrictions. In response to a Member's query on the Government's furlough scheme, he confirmed that it is too early to say what impact cessation will have on businesses across Mid Sussex. Covid cases in Mid Sussex remain the highest in the County and he reminded residents to continue to follow national guidelines to remain safe. He also noted that the Council has been working with the NHS to explore sites for use to support the vaccination programme and Clair Hall has been offered as a potential site. Plans to redevelop the site, and the public consultation will continue.

The Leader noted that the Government has recently published a 1 year spending review. There are a number of announcements which will assist the Council's position and provide more welcome support for local government. The Government is extending the fees and charges income compensation scheme to include the first quarter of next financial year which means that after the first 5% of losses the Council will receive 75% reimbursement of income losses as a result of the pandemic until June. Other additional funding is also available.

He confirmed that work on the Budget & Corporate Plan is underway building on the strategy set in the Revised Corporate Plan earlier in the autumn. The Council is forecasting a deficit of over £2m in 2021/22 with similar deficits forecast through to 2024/25. It has been agreed to underwrite this from reserves in the short term although this is not a sustainable long-term position. The draft Budget & Corporate Plan will be published later this month ahead of the Scrutiny Committee meeting in January.

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

Deputy Leader

The Deputy Leader noted that the Council continues to renew leases at the Orchards Shopping Centre, noting that such assets are important both to provide income to the Council and jobs for local residents.

Cabinet Member for Economic Growth

The Cabinet Member thanked the Economic Development and Revenues and Benefits team for their continued work to process claims for grants to support the local economy, and he noted that the Council has published its Economic Recovery Plan. He was pleased to note that footfall in towns and villages is increasing and thanked Members for their efforts in promoting the message to shop locally. He urged residents to plan journeys to avoid peak shopping times and confirmed that this was a reason for the offer of free parking after 3pm on Saturday, to spread out the peak shopping time.

Cabinet Member for Customer Services

The Cabinet Member confirmed that the first phase of the Council's own grants has now closed and funds should be with applicants before Christmas. The Tier 2 grants (national and discretionary) are live and will be processed quickly. She confirmed that a proposed outreach with the Department for Work and Pensions is going live in January in Burgess Hill and Bentswood Ward and the Council is looking to work with the Job Centre to develop a kickstart programme for under 25's. She also confirmed that the Council is working with Citizens Advice to work alongside local minority communities to improve access to support, information and services.

With regards to the Full Fibre programme, the Cabinet Member confirmed that it has now reached 20km, with plans to fit cables early in January.

Cabinet Member for Environment and Service Delivery

The Cabinet Member noted that the first round of Waste and Electrical Items recycling has been completed. Residents have been informed that this will continue with each black bin collection. He acknowledged a Member's concerns regarding the use of plastic bags for the items but noted that this remains the most suitable way to collect the items. A Member raised a query on the capacity of the vehicles verses the amount of recycling collected. The Cabinet Member confirmed that West Sussex County Council (WSSCC) have provided an agreement in principle to support the Council's recycling redesign and it is hoped that the Council will bring forward a proposal for food waste collection across the District in 2021.

With regard to Leisure Centres, he noted that the outturn in September resulted in less cost to the Council than anticipated. With the lockdown in November, costs will be higher, but overall the cost for a three month period will be lower than anticipated. The three month review of Places Leisure has been extended by a month to take into consideration the lockdown period. The Government has also recently announced a £100m fund for support in this area which the Council aims to bid for.

Cabinet Member for Community

The Cabinet Member noted that there were a large number of initiatives that he could have reported on over past months but due to other matters being the focus of Council meetings it has not been possible to do so. He encouraged Members to consider how to serve residents better by interacting on a productive basis in meetings going forward.

He noted that Covid infection rates can rise quickly and thanked residents for their work to keep safe, reiterating the need to follow the Government's message of 'Hands, Face, Space'.

Cabinet Member for Housing and Planning

The Cabinet Member confirmed that at the end of November, 160 units of affordable housing have been delivered. He also confirmed that Turning Tides have been given a double decker bus which is being repurposed to offer a hub service for rough sleepers in Mid Sussex and Horsham. It will be in Burgess Hill, East Grinstead and Haywards Heath one day per week, with ad hoc visits to Hassocks and Crawley Down.

In response to a Members question on the local development scheme which was published this week, the Cabinet Member noted that it was not possible to confirm a date that a CIL strategy will be available, as it depends on dates put forward Government, which keep changing.

The Chairman took Members to a vote on whether to extend the meeting past 9pm. Members voted 19 in favour and 26 against so it was confirmed that the meeting would close at 9pm.

17. MOTIONS ON NOTICE.

The motion was proposed by Councillor Gibson who noted that Neighbourhood Plans become out of date after 5 years and there is a lack of clarity around what happens when they reach this mark. He recognised the important contribution that Neighbourhood Plans make in identifying local areas for development and acknowledged the many residents and Councillors who have contributed to the 20 made Neighbourhood Plans. The motion was seconded by Councillor Phillips.

The Cabinet Member for Housing and Planning proposed an amendment to the Motion, which clarified the work that the Council currently carries out. He agreed to amend the wording of the final paragraph to read that 'development proposals continue to be determined'. The Cabinet Member confirmed that a new call for sites will shortly begin as part of the District Plan review and so the amended motion sought to place the Neighbourhood Plan reviews in that context so that it can be delivered in a timely fashion. This was seconded by Councillor Bradbury.

Councillor Gibson accepted the amended wording. The Chairman took Members to a vote on the amendment as agreed, which was carried with 48 in favour and 4 abstentions.

18. QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE 10.2

Two questions were received from Members. As the meeting concluded at 9pm before they could be considered, it was agreed that the questions and response from the Leader would be circulated in writing. If this is not acceptable to the two Members who posed the question, it could be presented at the next Council meeting.

The Chairman concluded with best wishes for Christmas and the New Year.

The meeting finished at 9.02 pm

Chairman