

Minutes of a Meeting of Mid Sussex District Council held on 29 June 2016 from 7.00 pm to 8.16 pm.

Present: Councillors:

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

John Allen
Jonathan Ash-Edwards
Andrew Barrett-Miles
Edward Belsey
John Belsey*
Margaret Belsey
Liz Bennett
Anne Boutrup*
Pete Bradbury
Heidi Brunsdon*
Kevin Burke
Cherry Catharine
Richard Cherry*
Rod Clarke
Phillip Coote
Ruth de Mierre
Tony Dorey

David Dorking*
Sandy Ellis
Steven Hansford
Ginny Heard
Chris Hersey
Margaret Hersey
Colin Holden*
Anne Jones MBE
Chris King
Jim Knight
Jacqui Landriani*
Andrew Lea
Anthea Lea
Andrew MacNaughton
Bob Mainstone
Gordon Marples
Gary Marsh

Peter Martin*
Edward Matthews
Norman Mockford
Pru Moore
Howard Mundin
Kirsty Page
Geoff Rawlinson*
Robert Salisbury
Linda Stockwell
Dick Sweatman
Mandy Thomas-Atkin
Colin Trumble
Neville Walker
Garry Wall
Anthony Watts Williams
Norman Webster
John Wilkinson
Peter Wyan

*Absent

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

None.

3. TO CONFIRM THE MINUTES OF THE MEETING OF COUNCIL HELD ON 11 MAY 2016.

The minutes of the annual meeting of Council held on 11 May 2016 were amended to include Councillor Barrett-Miles as present and then approved as a correct record and signed by the Chairman.

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

None.

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

None.

6. CHAIRMAN'S ANNOUNCEMENTS.

The Chairman informed Members that he had been to the unveiling of the commemorative stone celebrating Her Majesty's 90th Birthday in Jubilee Gardens; a

bench was also dedicated in memory of the late Councillor John De Mierre. Furthermore, the Chairman had attended the Sussex Paralympic Games, and the Young Volunteers Awards at Borde Hill. Finally, Councillor Pete Bradbury organised the Mid Sussex Science Week at Clair Hall, which the Chairman attended. Prizes were given out to Year 5 pupils who the Chairman stated were very capable young people.

7. MAKING OF THE ASHURST WOOD NEIGHBOURHOOD PLAN.

Councillor Walker proposed the Ashurst Wood Neighbourhood Plan in absence of the ward Member for Ashurst Wood, Councillor John Belsey. Councillor Webster seconded this, and reminded Members he had worked with the residents in the Ashurst Wood Neighbourhood Plan Steering Group, and that the Plan had been agreed in a referendum and the MSDC Cabinet.

The Chairman took Members to the recommendations on page 9 which were agreed unanimously.

RESOLVED.

That:-

Council agrees to formally make the Neighbourhood Plan part of the Local Development Plan. This will enable the District Council to use the Neighbourhood Plan to determine planning applications in Ashurst Wood.

8. ENGLISH LANGUAGE TEST FOR TAXI DRIVERS.

Councillor Webster proposed the item. He stated that the Licensing Committee held on 15 December 2015 requested that English language tests were introduced as they had concerns about the taxi drivers' ability to communicate in English; the request was considered by the Scrutiny Committee for Leisure and Community and was accepted. The Council sought legal advice and it was concluded that the test could only apply to new drivers and drivers that had been through a disciplinary process. Councillor Webster reassured Members that the test had to be taken in person in the Mid Sussex District Council offices, to reduce the chances of any fraud. He stated that this matter had been carefully researched and scrutinised and wished to recommend the test to the Council.

Councillor Thomas-Atkin seconded this and reserved her right to speak.

A Member had concerns with Appendix 10 on page 69 in which it is stated that the test is taken by telephone. The Member believed that this kind of test would not fulfil the goals that the council desired. The Member wanted more information on the test including; whether there was a fee, when the test is taken, the amount of times somebody can take the test, and whether a person can re-take the test if they fail. The Member stated that the description given in Appendix 10 was not fit for purpose, and even though he agreed with the test in principle, more work was needed on the specifics of how the test would operate.

Councillor Webster reminded Members that the consultation period for introducing the test was for 8 weeks and that all interested parties had a chance to respond. The taxi drivers did not raise any objections. He clarified that the information in Appendix 10 was copied and pasted from the provider and that it wasn't written to specifically

address the needs of the council in relation to taxi drivers. He made it clear that the test was to be taken in person at Mid Sussex District Council offices using a Council telephone, and that the identity of the applicant would be checked at that time.

Another Member raised concerns that they had only received general answers to the previous questions. They wished to know whether there was a review period for those who failed, what the criteria for failure was and whether failures would be reported back to the Council.

Councillor Webster replied that he was not certain if there was a proposal to review the policy, and that if the test was failed the applicant could retake it at a later date.

The Solicitor to the Council, Tom Clark reminded Members that it was not the role of the Council to scrutinise, as this was the role of the scrutiny committees. He stated the role of the council was to decide and make policy.

A Member reiterated their concerns about the review process of the policy. Councillor Webster reassured the Member that it would be reviewed on a continual basis.

A Member stated that they had sat on the Scrutiny Committee for Leisure and Community that scrutinised the policy. They indicated that the test was used by a reputable company, Pearson, and that the goal of the test was to establish general knowledge of English, and it was not a test directly aimed at taxi drivers. The Member said that each applicant would have a telephone identification number for security purposes. The Member went on to read out specific examples of some of the questions asked in the test, which applicants had to read, repeat and answer. The questions were basic and not technical.

The Chairman said this was very useful to know.

The Chairman of Licensing Sub-Committee-A told Members that they had taxi drivers in the past who had needed translators when being interviewed by the Committee, and it was because of this that the proposed policy has come about. If the policy was found not to be working the Member said they could go back and scrutinise the policy again, but at this stage it was essential to support it.

The Chairman of the Licensing Committee also agreed that they had difficulty liaising with some taxi drivers. He explained that there would be a one off fee of £30 for the test and that proof of ID would be required at the telephone interview. He asked Council whether they would be comfortable having a family Member in a taxi where there was a communication barrier, and that an upcoming penalty points scheme was also a positive step towards a better taxi service in the District.

A Member declared that they had no problem with the policy in principle, and the fact that it was utilised by other Councils was a good thing. However he reiterated their concerns about the consistency of the definition of the test in the report.

Councillor Marples proposed that the paper was not fit for publication due to its lack of detail and that it should be returned to Council next month

Councillor Salisbury seconded this.

Those for the proposition numbered 5, with 38 against and 2 abstentions. Councillor Thomas Atkins, who seconded the original proposal, informed the

Members that the residents of Mid Sussex were not being served well by the current taxi policies. She said the policy had been fully debated and supported by the Scrutiny Committee.

The Chairman then put the policy to Council for approval and this was agreed.

9. REPRESENTATIVES ON OUTSIDE BODIES.

Councillor Wall announced that Councillor Boutrup would replace Councillor Muddin as the Ashenground and Bolnore Woods Steering Committee nominated Member. This had been accepted by Councillor Muddin. Secondly, the nominated Member for James Bradford Almshouses board of trustees was to be former Councillor Edward King. Councillor Wall reminded Members that this position has always been held by a former Councillor. Councillor Ash-Edwards seconded this.

The revised list of nominations was agreed

10. PENSION DISCRETIONS.

Councillor Ash-Edwards began proceedings by reassuring Members there was nothing new in the West Sussex Pension Fund and that all pension discretions were existing practice. He clarified that Mid Sussex District Council has some flexibility in pension policy which are known as discretions.

Councillor Marples seconded this but wished to know why on page 76 the Council paid out more for voluntary redundancy than they did for compulsory redundancy. Councillor Ash-Edwards replied saying that this was to incentivise people to take voluntary redundancy but wished to reiterate that the council was not planning any compulsory redundancies for the future.

Council agreed the discretions to be applied to the West Sussex County Council pension fund as set out in the appendix to the report.

11. RECOMMENDATIONS FROM CABINET HELD ON 6 JUNE 2016.

These were agreed

12. TO RECEIVE THE LEADER'S REPORT.

The Leader of the Council started by explaining that the world had changed in the aftermath of the European Referendum vote result. He said that the political upheaval had been unprecedented and quite extraordinary and that leaving the European Union will have an impact locally .

The Leader continued by stating that all Members should demonstrate leadership locally and Mid Sussex District Council should lead by example. He advised Members that all 7 County, District and Borough leaders met on Monday 27th June to confirm that they will work constructively together. He reminded Members that the community will still need to rely on them for essential services, and quoted the Chairman as saying "the bins will still need collecting".

The Leader went on to explain that the Council had a strong financial foundation due to strong financial management, which meant there was security for the future. With this security the Council could invest in projects such as leisure centre improvements and improvements in the working conditions of Council staff, which he said were the

backbone of the organisation.

The Leader wished to point to the strong working partnerships that had secured support for the council's bid to the Regional Growth Fund which included loans in excess of £33 million. He stated that working with partners such as the Local Enterprise Partnership and Greater Brighton Economic Board meant the council could unlock funds to help bring forward development in a sustainable way. He went on to say that partnerships with other bodies such as West Sussex County Council will only become more important as we face uncertain times ahead.

The Leader drew attention to the 3SC proposals which aimed to bring greater devolved powers to this area. He updated Members and stated that the work was continuing with the next meeting of all local 26 Leaders scheduled for the 11th July. He reminded Members that without devolution, the government would have to pick up the tab and devolution was the best way for the government to free up the economy and give local areas greater control and influence. Even if the devolution bid was not successful, then it would have highlighted to the government the £4 billion of investment needed to unlock the potential in the economy.

The Leader concluded by saying that Mid Sussex District had a successful past and would have a successful future. All Members were working hard for the residents and were focused on delivering secure and efficient services and good value for money. He finished by stating these are challenging times but he was confident that the Council could continue to deliver.

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

Report of Cabinet Member for Finance and Service Delivery

The Cabinet Member began the report by saying an 80% turnout with approximately 87500 votes in the EU Referendum was excellent for the district and he welcomed the increased political engagement.

He then directed thanks to the Solicitor for the Council, Tom Clark, and the Elections team for their help in organising the Referendum, which he said demonstrated their skill and efficiency. The Members then initiated a round of applause in thanks.

The Cabinet Member then stated that because of the Council's sound financial management they were in a position to invest wisely. He said other Councils look on with envy at the large scale investments in the district. The Local Investment Property Fund was also doing particularly well and increased its dividend to the council, which was more than the increase in the Council Tax receipt.

The Cabinet Member then summarised that to keep the council's finances in good shape it must improve digital services and its CenSus partnership and be prepared for the upcoming changes in the benefits system.

Report of the Cabinet Member for Economic Development and Property

The Cabinet Member for Economic Development and Property began by saying the Council's Business Liaison Office continues to engage well with a wide range of companies and organisations. They are also supporting local businesses in their bids to the Regional Development Grant and Leader Rural Grant funding programmes.

He confirmed that the Business Liaison post has been made permanent and that it had been a huge success and was warmly welcomed by local business. He confirmed that all Leader funding had been secured for 2016/2017.

The Cabinet Member then reminded Members that 'Open 4 Business' would be taking place at the Kings Centre in Burgess Hill on Tuesday 18th October, Members would be welcome to attend and booking details would be available shortly. He stated that the theme of this year's event will be to help local businesses become digital by helping them with digital marketing and technology.

A Member reminded the council that after the EU referendum the UK's Business Secretary acted quick to meet key business leaders to ease their fears, he asked the Cabinet Member what he had planned to reassure local businesses.

The Cabinet Member replied saying that he did not wish to impose on local businesses but would always meet with them if they requested. He reminded the Member that the key event for engaging with local businesses was the annual 'Open4Business' Event.

Report of the Cabinet Member for Planning

The Cabinet Member for Planning began by updating Members on the District Plan, which he said was making excellent progress and would be submitted for examination over the summer. There was also excellent progress being made with Parishes on neighbourhood planning. Furthermore, the Cabinet agreed the Albourne Neighbourhood Plan for referendum on the 1st September, and with the Council agreeing the Ashurst Wood this evening, made 10 Neighbourhood Plans in total.

He stated the Balcombe and Bolney Neighbourhood Plans were being considered by Cabinet on 11th July and if agreed would also go to referendum on September 1st. The Haywards Heath, East Grinstead and Ansty and Staplefield plans were all at examination and a hearing date for the Haywards Heath plan has been set for the 21st July.

He then announced that a briefing for Parish Councils on the District Plan is due to take place on Friday 8th July.

Report of the Cabinet Member for Leisure and Sustainability

The Cabinet Member highlighted the work that the Marathon, which was celebrating its 5 year anniversary, did to unify the district. She celebrated the fact that Membership had risen by 49% in the district's leisure centres since July 2014 and that they were 5.3% over their target attendance for the month of May 2016.

The Cabinet Member noted that in a recent Sport England national survey Mid Sussex was in the top 25 of local authority areas for sports participation in the country and that this justified the investment within our leisure centres and outdoor facilities.

The Cabinet Member moved on to state the importance of the community facilities provided across the district. She said it is easy to undervalue community venues that are mostly manned by volunteers but they have a key role in community cohesion and happiness.

The Cabinet Member moved on to say that we should see these venues as

contributing significantly to community cohesion, which would fall apart if community spirit was lost.

The Cabinet Member brought Members attention to the impact that a new playground had on a young girl in the district, and the positive effect that skate park renovations would have on local teenagers, as they would feel they had been listened to and this may lead to them engaging more in future to make further improvements to the facilities.

Report of the Cabinet Member for Health and Community

The Cabinet Member began his report reminding Members that he had attended the Sussex Police Road Show and had heard the changes that were being introduced to local policing. This show was attended by Councillors at all levels and Members of the public. There would be a change to PCSO working practice and this new policing approach would be implemented shortly.

Furthermore, the Cabinet Member met with the new Director of Public Health at West Sussex County Council and concerns were raised about the late financial settlement for the District Wellbeing service and that the operational impact this had on Council officers and their ability to deliver services. The Cabinet Member reiterated his commitment to the partnership with WSCC and the successful implementation of the Wellbeing programme.

A Member stated that the late payment from WSCC had been raised by the Scrutiny Committee for Leader and Service Delivery, and that if they were to maintain this partnership they needed a long term and consistent payment plan.

The Cabinet Member replied by saying that the council was requesting a 3 year partnership plan.

14. TO NOTE THE PREVIOUSLY CIRCULATED MINUTES OF THE MEETING OF THE: (a) SCRUTINY COMMITTEE FOR LEADER AND SERVICE DELIVERY, HELD ON 15 JUNE 2016.

Item deferred as not been published.

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

None.

Chairman