

3 March 2023

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Dear Councillor,

A meeting of **CABINET** will be held in the **COUNCIL CHAMBER** at these offices on **MONDAY, 13TH MARCH, 2023 at 4.00 pm** when your attendance is requested.

Yours sincerely,
KATHRYN HALL
Chief Executive

A G E N D A

Pages

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|----|--|----------------|
| 1. | To receive Declarations of Interest from Members in respect of any matter on the Agenda. | |
| 2. | To receive apologies for absence. | |
| 3. | To confirm Minutes of the previous meeting held on 6 February 2023. | 3 - 6 |
| 4. | To consider any items that the Leader agrees to take as urgent business. | |
| 5. | Performance Monitoring for the Third Quarter of 2022/23. | 7 - 26 |
| 6. | Centre for Outdoor Sport. | 27 - 38 |
| 7. | 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. | |

To: **Members of Cabinet:** Councillors J Ash-Edwards (Chair), R Cromie, R de Mierre, S Hillier, R Salisbury and N Webster

Minutes of a meeting of Cabinet held on 06 February 2023 from 4.02 pm

Present: J Ash-Edwards (Chair)

R Cromie
R de Mierre

S Hillier
R Salisbury

N Webster

Also Present: Councillors R Bates, R Clarke and J Dabell

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

None.

2. TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Cllr J Belsey.

3. TO CONFIRM MINUTES OF THE PREVIOUS MEETING HELD ON 19 DECEMBER 2022.

The minutes of the meeting held on 19 December 2022 were agreed as a correct record and signed by the Leader.

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

None.

5. DRAFT CORPORATE PLAN AND BUDGET FOR 2023/24.

Louise Duffield, Director Resources and Organisational Development introduced the report which asked Cabinet to recommend to Council the draft corporate plan and budget. She confirmed the agreed process for consulting Members had been followed including at a recent Scrutiny meeting. The scrutiny committee had provided good feedback on a range of issues and had debated the matter of Council tax though they ultimately supported the lower level of 2.75% recommended in these papers. The only change to the papers is that the Local Government funding settlement has been formally announced with detailed amounts for MSDC provided. This resulted in a slight improvement on the projections in this paper resulting in a reduction in the planned draw on treasury management income of £286,000.

Members noted that Council Tax was one of the lowest in the region. They also discussed parking income and also the noted the Council's strong management of their finances during challenging times.

Simon Hughes, Director People and Commercial Services confirmed the car park usage had nearly returned to pre-Covid levels if season ticket holders were excluded. He advised the use had increased each year, and current use was above that forecast. This is in line with other authorities where post covid work patterns and town centre use continue to change the use of car parks. The Council will continue to use its data to respond to these changes.

The Director for Resources and Organisational Development confirmed that treasury management income had historically been put into the General Reserve, however in challenging times there would be a need to draw on this income to support the balancing of the budget. As the external financial climate also results in higher returns on our investments, she was confident that the income received will enable a balanced budget. The Audit Committee will receive an update on Treasury Management shortly, and the Council will be recommended to continue to invest prudently paying dividends in the future, noting that trends for the future of interest rates indicate they are likely to level off or fall in the coming year.

A Cabinet Member noted the comprehensive discussion at the scrutiny committee and that no changes had been made to the draft budget. They welcomed the current position of the Council's strong, prudent financial management and they thanked the Chief Executive and officers for their hard work.

The Leader thanked the scrutiny committee for considering the draft corporate plan and budget. He highlighted that the plan included important projects for local communities, and is a good, sensible approach to a difficult financial environment. With Mid Sussex residents struggling financially a reduced increase in Council Tax which is under the Government cap is helpful.

The Leader noted that no Member wished to speak further and moved to vote on the recommendations, which were agreed unanimously.

RESOLVED

Cabinet recommended to Council the proposals for 2023/24 as set out in the report to the Scrutiny Committee and as amended by this report, specifically:

- i. The financial outlook facing the Council over the medium term updated for the provisional settlement set out in table 1;
- ii. The proposed increase in Council Tax of 2.75%;
- iii. The strategy to use Treasury Management income and then, if needed, General Reserve to balance the budget over the medium term;
- iv. Updates to the Capital Programme and strategy; and
- v. The service commentaries and supporting summary budget tables for each service area; and,
- vii. To note the ongoing membership of the West Sussex Business Rates Pool.

6. BUDGET MANAGEMENT 2022/23 - PROGRESS REPORT APRIL TO DECEMBER 2022.

Louise Duffield, Director Resources and Organisational Development introduced the report which updated on the Council's budget position. She noted the predicted overspend was now a balanced budget due to the diligent work by officers and a strong performance in treasury management income. She also noted two capital programmes reporting a small underspend. The balance of any treasury management income would top up the general reserves.

A Cabinet Member welcomed the underspending on the capital programme, highlighting the sewage pumping scheme in East Grinstead and the inclusion of Swan Mead in the Temporary Accommodation programme.

The Leader welcomed the forecast of a balance budget, which would be a significant achievement considering the position at the start of the financial year.

The Leader noted that no Member wished to speak further, he moved to vote on the recommendations which were agreed unanimously.

RESOLVED

Cabinet recommended to Council:

- i. Agree the release of earmarked reserves of £471k to the General Reserve;
- ii. Agree to top up the Burgess Hill Growth Reserve by £200k from the General Reserve;
- iii. Agree to combine the following reserves: the Management Restructure Reserve, the JE (Job Evaluation) Reserve and the Efficiency Reserve;
- iv. To rename this reserve the Organisational Development and Efficiency Reserve.

7. APPROVAL OF THE RECOMMENDATIONS CONTAINED IN THE HORSTED KEYNES NEIGHBOURHOOD PLAN EXAMINATION REPORT.

Judy Holmes, Deputy Chief Executive introduced the report which detailed the Examiner's recommendations received on 12 January 2023; she confirmed Horsted Keynes Parish Council had accepted the recommendations. If Cabinet accepted the Examiner's recommendations were accepted by the Cabinet, the referendum on the Neighbourhood Plan would be held on 4 May 2023. If the Plan is 'Made' this would represent a significant milestone as every Parish in the District would then have a 'Made' neighbourhood plan.

The Cabinet Member for Planning noted the time it had taken for all parishes to get neighbourhood plans in place, highlighting their importance as they help to ensure residents' wishes for future development in their local area are considered. He thanked the officers for supporting the work.

The Leader noted that no Member wished to speak further, he moved to vote on the recommendations which were agreed unanimously.

RESOLVED

Cabinet is recommended to:

- i. Formally accept the Examiner's recommended modifications to the Horsted Keynes Neighbourhood Plan to enable the Plan to proceed to Referendum.

- ii. Agree to publish the 'Decision Statement' as set out at Appendix 1 of the report.

The meeting finished at 4.18 pm

Chairman

PERFORMANCE MONITORING FOR THE THIRD QUARTER OF 2022/23

REPORT OF: DIRECTOR OF RESOURCES AND ORGANISATIONAL DEVELOPMENT
Contact Officer: Neal Barton, Policy and Performance Manager
Email: Neal.Barton@midsussex.gov.uk Tel: 01444 477588
Wards Affected: All
Key Decision: No
Report to: Cabinet
13th March 2023

Purpose of Report

1. This report provides the Cabinet with information about the Council's performance for the third quarter of 2022/23 from October to December 2022.

Summary

2. Performance monitoring data for the third quarter of 2022/23 shows the Council performing well in most service areas. In the small number of cases where service targets are not being fully met, the reasons for this are clearly understood and appropriate action is being taken.

Recommendations

3. **Cabinet is requested to note the Council's performance in the third quarter of the year and identify any areas where further reporting or information is required.**
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Background

4. This report has previously been considered by the Scrutiny Committee for Leader, Deputy Leader and Housing and Customer Services at their meeting on 8th March 2023. Given the timings of the meetings, a verbal update will be provided to Cabinet of the issues raised by the Committee.
5. One of the functions of the Committee is to regularly monitor the performance of the Council's services, with a view to determining whether any additional scrutiny is required of specific services, particularly if performance is not of a satisfactory level. This report sets out performance in the third quarter of 2022/23 covering the period from 1st October to 31st December 2022.
6. Performance indicator information for the second quarter is provided at Appendix A. This is set out in tabular form using a traffic light system as explained below:



green – OK. On or exceeding target.



amber – Alert. Off target but under control with mitigation measures in place or is temporary and the target is still deliverable.







red – Warning. Off target and fundamental change or immediate action is required or that the target is no longer viable.

 health check – data only with no target.

7. The Appendix sets out the bundle of performance indicators that the Cabinet monitors and reflects the minor changes agreed at the meeting of the Scrutiny Committee on 18th May 2022. These included new indicators for fly tipping, electric vehicle charging and numbers on the Housing Register.

Performance Indicators

8. Performance continues to be good across the Council. The third quarter position in comparison with the same period in the previous financial year is summarised below:

Quarter 3	 Green	 Amber	 Red	 Health check	Total
2022/23	28 (68%)	7 (17%)	6 (15%)	26	67
2021/22	31 (76%)	6 (15%)	4 (10%)	24	65

9. Members will note the positive performance in all key service areas. For instance, recent surveys show the Council is doing well in keeping our streets clean and free of litter. The 1-2-3 collection trial has continued for around 3,000 properties and is achieving a very positive recycling rate of 65% overall.
10. Particular areas of strong performance in the quarter include Housing Options where reductions have been achieved in the overall numbers in temporary accommodation and the use of nightly paid accommodation. For Customer Services, there has also been a reduction in the number of complaints.
11. Some service areas have experienced challenges in the last quarter, which are being addressed:
- Waste service performance was temporarily affected by the snow prior to Christmas, which saw nearly two weeks of disruption to waste and recycling collections.
 - The Revenues and Benefits speed in processing claims continues to be challenged by the additional responsibilities associated with the payment of Energy Rebates and the administration of grant schemes. Accuracy in assessment remains very high.

Conclusions

12. The Council's services continued to perform well in the third quarter of 2022/23. Where performance is below target, corrective action aimed at improvement has been planned and is being delivered.

Risk Management Implications

13. There are no risk management implications associated with this report.

Equalities Implications

14. There are no direct equality implications contained within this report. Equality Impact Assessments are undertaken within individual services as required.

Sustainability Implications

15. The suite of performance indicators monitored by the Scrutiny Committee contains sustainability-based indicators.

Financial Implications

16. There are no direct financial implications contained within this report.

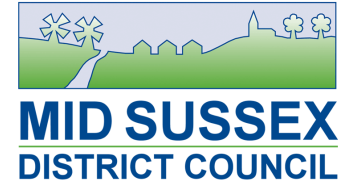
Appendices

- Appendix A - Quarter 3 Performance Indicators





Background papers

None.

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Cabinet - Quarter 3 Performance Report 2022-23





PI Status	
	OK - On or exceeding target
	Alert. Off target but under control with mitigation measures in place or is temporary and the target is still deliverable
	Warning. Off target and fundamental change or immediate action is required or the target is no longer viable
	Data Only

Community Portfolio - Cllr Norman Webster



Building Control


	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
The percentage of plans received by Building Control which are checked within 15 working days	87%	89%	99%	87%		Q3 22/23 - 205 plans checked Q3 21/22 - 237 plans checked
Building Control Site inspections carried out within 24 hours of date requested.	98%	98%	98%	98%		Q3 22/23 - 1,714 inspections Q3 21/22 - 1,508 inspections

Community Services


	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Anti-social behaviour cases resolved within 3 months as a percentage of those referred	Data only	56.9%	61%	Data only		27 out of 44 ASB cases in Q3 22/23 35 out of 52 ASB cases in Q3 21/22
Overall Crime Rate per 1000	Data only	11.04	12.14	Data only		
Number of health and wellbeing interventions delivered	1850	490	445	430		
Proportion of health and wellbeing interventions resulting in health improvement	85%	92.3%	92.6%	85%		This indicator involves calling back three months after the intervention to monitor whether it has led to a sustained improvement.

Environmental Health



	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Proportion of Environmental Health service requests which are actioned and resolved within 3 months of receipt	94%	96%	98%	94%		Q3 22/23 – 855 service requests Q3 21/22 – 998 service requests
Percentage of Environmental Health service requests that are responded to within five working days	95%	96%	100%	95%		Q3 22/23 – 1,015 service requests Q3 21/22 – 994 service requests Requests for services can be across the range of Environmental health activities including licensing, housing standards, environmental protection and food hygiene.

	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Disabled Facilities Grants completed (cumulative)	Data only	47	69	Data only		


Land Charges

	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
The percentage of Local Authority Searches replied to within 7 working days	96%	100%	100%	96%		


Legal and Member Services

	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
The percentage of agendas which are published on the website 5 days before a meeting	100%	100%	100%	100%		
Number of legal cases which are live as at the end of each month	Data only	444	414	Data only		



Deputy Leader Portfolio – Cllr John Belsey**Finance**

	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Percentage of undisputed invoices paid within 10 days of receipt	95.0%	100.0%	99.9%	95.0%		Q3 22/23 - 1,090 invoices Q3 21/22 - 1,201 invoices


Landscapes

	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
% Satisfaction with the grounds maintenance service	85%	66%	59%	85%		Satisfaction with the grounds maintenance service was lower than target. As Members will recall from previous updates, the online surveys provide more focussed information and survey respondents report dissatisfaction specifically in relation to the emptying of litter bins and grass cutting. This part of the service was made more difficult during the snow in December and significant wet weather during the early part of the Quarter.

Property and Asset Maintenance

	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Footfall in the Orchards Shopping Centre, Haywards Heath	Data only	+7.4%	+2.98%	Data only		Footfall for Q3 22/23 was 1,443,405, which is 2.98% up on the same quarter of last year of 1,401,634.
The percentage of rent due collected	97%	98%	98%	97%		


Waste and Outdoor Services

	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
% satisfied with refuse collection, recycling collection and street cleansing	89%	N/A	N/A	89%	N/A	The Council and its partner, Serco, will (following low uptake of phone and time-limited online surveys) be moving to a perpetual online survey. This will enable the Council and Serco to better respond to issues raised in a timely manner. A customer satisfaction survey of participants in the 1-2-3 collection service trial is being undertaken in February and will be reported in the next performance report.
The percentage of fly tips removed within one working day of notification	82%	88%	95%	82%		


	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Amount of waste per household which is disposed of in landfill sites (kilos)	424	103	101	106	✓	
Percentage of household waste sent for reuse, recycling and composting	46%	44%	42%	44%	⚠	<p>The 1-2-3 Collection Service is performing well, with an overall recycling rate of 65%. However, this trial is taking place at 3,000 properties (when we service over 66,000 in total) so the overall impact is low when looking at figures for the whole district.</p> <p>Figures for the Quarter are lower than expected following the snow (which typically leads to increased use of the black wheelie bin) and wet weather increased the amount of cardboard rejected at the kerbside.</p>
Number of subscriptions to green waste composting	Data only	22,501	22,453	Data only	📊	
Number of missed collections per 100,000	50	135	137	50	⛔	The snow, which saw nearly two weeks of disruption to waste and recycling collections just prior to Christmas, has temporarily impacted this figure.
% of relevant land assessed as having below acceptable levels of litter	6%	2%	2%	6%	✓	The Council has recently received independent gradings for both litter and detritus (leaf fall) and we are pleased to see the scores well above our target.
% of relevant land assessed as having below acceptable levels of detritus	8%	8%	4%	8%	✓	

Economic Growth and Net Zero Portfolio – Cllr Stephen Hillier



Economic Development




	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Business grants – funds awarded compared to total grant received	Data only	38%	100%	Data only		Cabinet Grants Panel on 24th October and 12 December awarded another 27 grants of £46,319 to use up all of the Microbusiness grants funding of £71,428. 43 small businesses looking to expand or take on an apprentice have been assisted through the micro-business grant scheme overall in 2022/23.

Sustainability








	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Greenhouse gas emissions from Council buildings (kg)	Data only	32,701	74,067	Data only		The Q3 2021/22 emissions figure for comparison was 75,069 kgs. Targets for 2023/24 and actions for their achievement will be included in the Net Zero programme.

Housing and Customer Services Portfolio – Cllr Rachel Cromie
Customer Services and Communications





	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Number of Complaints received	Data only	34	22	Data only		Complaints breakdown by service area and summary of main reasons for complaints: Waste & Outdoor Services – 8 (garden waste service, missed assisted collections) Revenues – 7 (incorrect calculation of Council Tax liability and complaints about enforcement action) Housing Options – 2 (way that homelessness applications were dealt with)
Percentage of enquiries resolved at point of Contact	85%	N/A	N/A	85%	N/A	Q3 figure is currently unavailable. As well as switchboard, the Centre receives direct line calls for 11 Council services. Number of calls made to the Contact Centre: Q3 22/23 – 15,036 calls (excludes some direct line service calls currently unable to be collated) Q3 21/22 – 13,246 calls. In addition to phone calls, Centre staff also dealt with 6,695 personal callers to reception in Q3 22/23 against 2,635 in Q3 21/22.
Number of Compliments received	Data only	84	72	Data only		Breakdown of main services in receipt of compliments: Waste & Outdoor Services – 26 Customer Services – 21

	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
						Development Management – 9 Revenues – 4 Landscapes – 2 Environmental Health – 2 Democratic Services – 2 Housing Options – 2 Planning & Building Control Support – 2
Number of e-forms submitted directly by the public	Data only	7254	7203	Data only		
Monthly customer satisfaction scores	90%	95%	96%	90%		Customer satisfaction is being measured by phoning back a sample of customers who had previously contacted the Customer Service Centre to gain their feedback on how the call was dealt with.
Percentage of complaints responded to within published deadlines	100%	100%	100%	100%		The deadline for responding to complaints is to acknowledge within 5 days and respond within 10 working days.




Housing

	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Number of households assisted to access the private rented sector	Data only	0	4	Data only		
Number of households accepted as homeless	Data only	20	11	Data only		
The number of households approaching the Council with a housing enquiry (excludes telephone calls)	Data only	234	189	Data only		
Number of households living in temporary accommodation	Data only	82	62	Data only		
Number of households in nightly paid temporary accommodation	Data only	33	16	Data only		
The average amount of time a household has spent in temporary accommodation overall when they leave following the acceptance of a full homelessness duty (days)	Data only	205	338	Data only		
Number of applicants on the Housing Register	Data only	1,988	1,932	Data only		Choice-Based Lettings priority bands and numbers in each at Q3 are: Band A – Emergency or high priority (58) Band B – High priority (37) Band C – Medium priority (515) Band D – Non-priority housing need (1,322)









Human Resources

	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Staff sickness absence rate (Cumulative days per fte)	7.00	4.83	7.10	5.25		This is above target due to individual matters being addressed by officers under Council policies.
Staff turnover	12%	7.62%	9.97%	9%		
Ethnic Minority representation in the workforce - employees	Data only	3.4%	4.4%	Data only		
Percentage of Employees with a Disability	Data only	6.4%	7.8%	Data only		

ICT and Digital


	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
The percentage of ICT help desk service requests completed within the target time agreed with the customer	97%	96%	97%	97%		Q3 22/23 – 1,004 service requests Q3 21/22 – 1,071 service requests
Percentage of ICT helpdesk calls outstanding	15%	15%	16%	15%		
Freedom of Information Requests responded to within 20 working days	100%	99.46%	99%	100%		Q3 22/23 - 264 FOI requests Q3 21/22 - 190 FOI requests

Revenues and Benefits



	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Speed of processing - new Housing Benefit claims	21	20.4	26.1	21		Q3 22/23 - 81 claims Q3 21/22 - 103 claims
Speed of processing - new Council Tax Support claims	20.0	18.5	22.2	20.0		Q3 22/23 - 348 claims Q3 21/22 - 339 claims
Speed of processing - changes of circumstances for Housing Benefit claims	8.0	10.5	12.0	8.0		Q3 22/23 - 1,077 HB & 3,074 CTS adjustments Q3 21/22 - 1,324 HB & 4,995 CTS adjustments Performance in processing Benefit claims and adjustments is still being affected by backlogs from the administration of grants and the Energy Rebate scheme. Also, from the need to train new staff. The speed of processing Housing Benefit changes in circumstances is expected to improve in the final quarter as there are a large number of annual rent increases in March 2023, which are normally processed in a day.
Speed of processing - changes of circumstances for Council Tax Support claims	9.0	16.1	20.0	9.0		
Percentage of Council Tax collected	98.5%	56.3%	83.8%	85.0%		Q3 22/23 - £110,440,135 collected Q3 21/22 - £105,532,207 collected
Percentage of Non-Domestic Rates Collected	79.2%	64.9%	84.5%	79.2%		Q3 22/23 - 41,378,625 collected Q3 21/22 - £32,250,445 collected
LA Overpayment Error	£105,000	£19,024	£23,987	£78,750		
Accuracy in Assessment	93.0%	91.8%	96.0%	93.0%		




Leisure and Parking Portfolio - Cllr Ruth de Mierre

Leisure Operations

	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
The number of visits made to the Leisure Centres	Data only	362,645	353,625	Data only		Attendances at the Leisure Centres continue to recover following the pandemic, with numbers higher than for the same quarter in 2021/22 (292,470). A Leisure Contract Update report was considered by Scrutiny Committee for Communities, Leisure and Parking on 16 th November 2022.

Parking Services and Electric Vehicle Charging



	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Cancellation rate of Penalty Charge Notices	7%	6%	6%	7%		Q3 22/23 387 cancelled out of 6,825 PCNs issued. Q3 21/22 710 cancelled out of 10,611 PCNs issued.
The percentage of pay and display transactions made by cashless payments	58%	63%	65%	58%		

	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Usage of Council-owned electric vehicle charging points in public car parks (in kWh)	Data only	17,704	47,891	Data only		
Number of enabled electric vehicle charging points in Council car parks	Data only	52	60	Data only		A further 8 charging points were installed in December at the Queens Way Car Park, East Grinstead, bringing the total to 60 in 10 car parks across the District. The priority site installation at Cyprus Road, Burgess Hill has been delayed due to lease issues.
Percentage uptime for electric vehicle charging points in Council car parks	95%	99.94%	86%	95%		Flooding issues for Vicarage Road, East Grinstead (Oct to end of Dec) and Orion, Hassocks car parks (Dec) meant that these charging points were not operational for some of the quarter.

Planning Portfolio – Cllr Robert Salisbury
Development Management

	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Validation of planning applications within 7 working days	96%	98%	99%	96%	✓	Ytd Q3 22/23 – 1,812 total applications processed Ytd Q3 21/22 – 1,933 total applications processed
Costs awarded against the Council where the decision of the Council is overturned at Planning appeal	Data only	£00	£00	Data only	📊	
Processing of planning applications: Major applications within 13 weeks (or agreed extension if time)	90%	100%	94%	90%	✓	Ytd Q3 22/23 – 43 major applications Ytd Q3 21/22 – 43 major applications
Processing of planning applications: Minor applications within 8 weeks	90%	100%	96%	90%	✓	Ytd Q3 22/23 – 232 minor applications Ytd Q3 21/22 – 219 minor applications
Processing of planning applications: Other applications within 8 weeks	95%	99%	95%	95%	✓	Ytd Q3 22/23 – 882 other applications Ytd Q3 21/22 – 1,048 other applications
Planning appeals allowed	33%	20%	26%	33%	✓	
Planning Enforcement site visits made within 10 days of complaint	80%	91%	89%	80%	✓	

Housing Enabling

	2022/23	Q2 2022/23	Q3 2022/23			Latest Note
	Target	Value	Value	Target	Status	
Cumulative number of affordable homes delivered (gross)	Data only	183	288	Data only		
The % of policy compliant section 106's signed in the year on sites that meet the affordable housing threshold	Data only	100%	86%	Data only		6 out of 7 schemes have been policy compliant in the year to date.

CENTRE FOR OUTDOOR SPORT

REPORT OF: DIRECTOR FOR PEOPLE AND COMMERCIAL SERVICES
Contact Officer: Rob Anderton, Assistant Director Commercial Services and Contracts
Email: robert.anderton@midsussex.gov.uk Tel: 01444 477374
Wards Affected: All
Key Decision: No
Report to: Cabinet
Monday 13 March 2023

Purpose of Report

1. The purpose of this report is to update Cabinet on:
 - (a) the progress of the Centre for Outdoor Sport (CfOS) project;
 - (b) the land transfer of the site from Homes England to MSDC;
 - (c) capital / revenue assessments for the project;
 - (d) the proposed delivery of the project; and
2. Seek approval for the project scope, preparation and submission of a reserved matters planning application to align with the proposed scope;

Recommendation

3. Cabinet is recommended to:
 - (i) agree the proposed project scope;
 - (ii) approve the preparation and submission of a reserved matters planning application to align with the proposed project scope, and;
 - (iii) note that further reports will be brought forward in the new financial year to seek authority to progress the procurement of a delivery partner, and to secure agreement to the proposed approach to project implementation.

Background

4. The Northern Arc (Brookleigh) will deliver over 80 ha of new green space; 8.6 ha of which is specifically allocated to accommodate a new Centre for Outdoor Sports (CfOS).
5. This land will be transferred to the Council along with a Capital set-up sum and a commuted sum for maintenance, in line with the requirements specified in the s106 Agreement.
6. The achievement of this special facility as part of negotiations with Homes England, was a significant achievement for the Council. Of particular note was securing agreement for the land to be gifted to the Council for free and an on-going revenue contribution.
7. The aim of the CfOS project, over the medium term, is to provide an appropriate quantity of publicly owned, high quality formal sports provision to mitigate the impact of Brookleigh (8.6ha south of the A2300 and approximately 1ha at the Triangle Leisure Centre).

8. The scale of Brookleigh means it will be delivered over many years, and the need for the CfOS will grow as more houses are built. Whilst the Centre will certainly be an important resource for communities throughout Mid Sussex, the nature of planning agreements like this one, means that developers (in this case Homes England) are only required to mitigate the impact of their developments, not address pre-existing need.
9. The CfOS presents a significant opportunity over the medium term, to deliver an important new facility.
10. In March 2022, Cabinet agreed Phase 1 of the CfOS project (the Feasibility Study and Master Plan) as a foundation for the next steps; and authorised the commencement of the next phase of the project, to appoint consultants to deliver RIBA Stages 2, 3 and 4 of the project, including further engagement with National Governing Bodies (NGBs) and key stakeholders.
11. RIBA Stage 2 of the CfOS project is now completed. It builds on the previous feasibility work with detailed site surveys, and extensive engagement with local sports clubs and other key stakeholders. It also includes further engagement and consultation with National Governing Bodies, which has informed the final proposed facility mix and site layout.

Phase 2- Facility mix and proposed site layout

12. Following detailed NGB and stakeholder engagement during Stage 2, the facility mix for the CfOS site now comprises:

Facility	Stage 1	Stage 2 - Proposed
Football	<ul style="list-style-type: none"> ○ 1 x floodlit 3G Football Turf Pitch and Ground to FA Step 5 ○ 4 x grass youth football pitches 	<ul style="list-style-type: none"> ○ 1 x floodlit 3G Football Turf Pitch ○ 4 x grass football pitches (1 x U13&14 (11x11), 1 x U18 (11x11), 2 x U9&10 (7x7))
Rugby	<ul style="list-style-type: none"> ○ 1 x Regulation 22 World Rugby compliant artificial turf pitch ○ Floodlighting and viewing stand 	<ul style="list-style-type: none"> ○ 1 x Regulation 22 World Rugby compliant artificial turf pitch (106 x 68m) ○ Floodlighting and pitch side viewing
Cricket	<ul style="list-style-type: none"> ○ Optional artificial wicket and cricket pitch ○ Small cricket pavilion and parking. 	<ul style="list-style-type: none"> ○ 1 x artificial wicket and cricket pitch ○ No separate cricket pavilion / parking
Athletics	<ul style="list-style-type: none"> ○ N/A 	<ul style="list-style-type: none"> ○ 60m running straight to align with Green Circle ○ Starting point for Active Track using Green Circle through wider Northern Arc
Other	<ul style="list-style-type: none"> ○ N/A 	<ul style="list-style-type: none"> ○ Use of natural turf pitch areas for archery
Clubhouse	<ul style="list-style-type: none"> ○ 400m2 facility ○ 4 x team changing rooms 	<ul style="list-style-type: none"> ○ 340m2 facility ○ 4 x team changing rooms
Site	<ul style="list-style-type: none"> ○ Car park ○ LEAP ○ Green Circle 	<ul style="list-style-type: none"> ○ Car park ○ LEAP ○ Green Circle

13. The proposed 60m running straight is sited adjacent to the Green Circle which, it is proposed, will provide a starting point for an Active Track through the wider Northern Arc. The running straight will be provided on a slight incline due to the site constraints, it is therefore not 'fully-compliant' with the requirements of the National Governing Body, England Athletics. It will, however, provide a supporting facility to the Active Track which is considered beneficial.
14. It is proposed that the facilities to be considered at The Triangle, including an additional padel court and hockey pitch, are progressed as separate projects. These facilities will be subject to a separate planning permission. Implementation of the hockey pitch requires significant works to amend the existing car park which requires careful consideration.

Delivery of works

15. The reserved matters application will consider all the proposed facilities for the CfOS site.
16. The implementation plan for the CfOS facilities will ensure the delivery of the priority facilities as soon as practical, with remaining works to follow, as often happens on large projects of this type, on a prioritised basis as funding becomes available and/ or the need is identified, as set out below:

Works	Summary	Notes
Priority facilities	Clubhouse & all-weather pitches <ul style="list-style-type: none"> • Clubhouse facility and changing rooms • Football AGP (community standard) • Rugby AGP • Parking • Site access 	Proposed implementation Sep 2023 – Jun 2024.
Step 5 works	Clubhouse & football AGP upgrade to Step 5 <p>Upgrading the football and clubhouse facilities to Step 5 could be subject to a funding application to the Football Foundation once a clear need has been identified.</p>	When required / when football is played at a sufficiently high standard.
Natural turf	Natural turf pitches <p>Natural turf pitches, including artificial cricket wicket delivered as a separate phase.</p> <p>Note: natural turf pitches require 9 – 12 months to mature prior to initial use.</p>	As funding becomes available.

Public facilities	Green Circle, running straight & LEAP	
	<p>The ancillary facilities (Green Circle, running straight and playground) should be provided to align with the delivery of adjacent development plots (Employment Zone and residential), ensuring increased usage.</p> <p>The Employment Zone and nearest residential areas will be developed after the CfOS site, and demand for these facilities is likely to be very low until adjacent areas are completed.</p>	<p>Delivery to potentially align with development of adjacent plots (employment zone and residential parcel 1.4) both currently due to see first completions in spring 2025).</p> <p>These facilities could be delivered as a single package or individually as they are not dependant on each other.</p>

17. The below table details the key activities and proposed programme dates:

Activity	Period
RIBA Stage 3 (Spatial Co-ordination) & planning	December 2022 – April 2023
Cabinet – approval to submit planning	13 March 2023
Submission / validation planning applications	April / May 2023
Homes England – Site Handover Phase 1	Target March 2023
Target planning award(s)	Summer 2023
MSDC approval of Main Contract	August 2023
CfOS site available for clearance activities	September 2023
CfOS start on site	September 2023
CfOS Priority Facilities ready for use	June 2024

Capital costs

18. Given current inflation rates, supply chain issues and related matters, there has been significant cost increases since the Stage 1 proposals were considered.
19. A comprehensive exercise has been undertaken to reduce costs and look at a range of alternative delivery approaches in response to this challenge.
20. Facilities associated with Step 5 requirements can be delivered as the need arises, and a separate funding bid to the Football Foundation would be made for these works at the appropriate time. This has resulted in a remodelled clubhouse facility at this stage, with consideration given to future-proofing works within the initial provision to facilitate expansion if/ when the need arises.
21. The latest estimated costs for the project are provided in the Exempt Annex.
22. There remain a number of risks associated with the capital costs which are under careful review, as set out in Paragraph 50 of this report.

Funding and affordability

23. The following s106 funding is available (or potentially available, depending on timing), to spend on CfOS:

Category	Funding available
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Total s106 monies received	£1.7m
Total s106 in pipeline (likely to be paid before construction starts)	£3.3m
Other s106 signed for but not yet received (no guarantee of timing)	£1m
Total	£6m

24. The MSDC Site Allocations SPD allocates housing sites in Burgess Hill which could potentially yield a further £1m of formal sport funding over the coming years. However, any s106 arising from those developments is unlikely to be received prior to work commencing on the first phase of the CfOS project and the Council is not in control of when the money will be received.
25. Similarly, the District Plan Review (DP) is at a very early stage in its preparation and therefore the sites/ housing numbers are very uncertain. Any s106 funding arising from either the Sites DPD or the DP Review will not be available for a number of years.
26. It has not been possible to identify any other viable sources of funding for the CfOS project.

Communications

27. Stage 2 of the project saw detailed consultation take place with a range of strategic stakeholder organisations to provide clarity on the facility mix for the site. This consultation focused on finalising the facility mix and agreeing the masterplan for the Centre for Outdoor Sport site and the Triangle Centre.
28. As well as consulting with Sport England and key National Governing Bodies of sport, a selection of sports clubs based in Burgess Hill were invited to attend face to face meetings with the consultant team, and over 100 clubs and organisations, involved in delivering community sport in Burgess Hill and the wider district, were invited to take part in an email consultation.
29. Further engagement is now required, to update stakeholders on the status of the project, to explain the proposals and rationale for the proposed approach to delivery, and to ensure, so far as possible, that the project remains supported as it progresses towards the submission of a Reserved Matters Application. It is also necessary, of course, to demonstrate to Planning Committee that the consultation around this project has been robust, and that issues or concerns have been adequately addressed.
30. The services of specialist Communications Consultants, MPC, have been engaged to support the team with the delivery of a coordinated communications and engagement programme ahead of the submission of the Reserved Matters Application. Specifically, they have supported:
 - Member/ Town and Parish Council briefings
 - Further community group/ stakeholder engagement
 - Production of a community newsletter
 - Provision of a public engagement event
31. They will then use this feedback, and the outcome of previous consultation and engagement work to inform the preparation of a Statement of Community Involvement in support of the Reserved Matters Application

Reserved Matters application

32. The Project Team have engaged with Planning Officers to agree the following approach to the Reserved Matters Application:
 - (a) All facilities to be delivered on the CfOS site (with the exception of Step 5 improvements to the clubhouse) will be included within the Application to ensure permission is granted for the entirety of works envisaged.
 - (b) The approach to timing and delivery of the works is to be discussed further and agreed, and may be controlled via Planning Condition.
 - (c) Following Consultation (as above), it is intended to report the findings via a Statement of Community Involvement.
33. It is also necessary to present the CfOS scheme to the Northern Arc Design Review Panel (DRP). Upon approval to develop the Reserved Matters Application, design information will be prepared to present to the DRP. As noted below, there remains a risk that the DRP might propose changes to the scheme which may impact the capital costs or delivery programme.

Procurement of delivery partner

34. Any procurement route(s) needs to ensure access to contractors with suitable experience of delivering similar facilities while ensuring value for money for the Council. It is also desirable to ensure that the overall delivery programme is maintained. Therefore an easily accessible / deliverable procurement route(s) is desirable. This will enable facilities to be delivered as a single package under an alternative route.
35. Following a detailed procurement review, it is recommended that the UK Leisure Framework (UKLF) is used for the delivery of CfOS. The UKLF is a specialist sport and leisure framework delivered utilising a Development Agreement between Alliance Leisure (the Framework Delivery Partner) and the Council. Framework suppliers are instructed under contract between Alliance Leisure and the supplier(s).
36. The UKLF provides excellent access to suitable suppliers for the delivery of the CfOS (and potentially Triangle) facilities, and a phased delivery would also be straightforward, which may not be the case via an open tender.
37. A further report will be brought forward shortly to seek approval for the Director of People and Commercial Services and the professional team to progress the procurement of a delivery partner for the CfOS project via the UK Leisure Framework.

Operator matters

38. At this stage it is assumed that the new CfOS facilities will be managed by Places Leisure (PL). The rationale for this is that they currently operate the Triangle Centre, which is located very close to the new CfOS, so it would be more efficient to operate both facilities together.
39. This would ensure a coordinated management approach to facilities across the site while maximising operating efficiency through use of shared staff, marketing, maintenance, and other resources. It would also mean that the Council could manage a single contract, as opposed to two separate management contracts.

40. The exception to this is the grounds maintenance of the natural turf pitches and wider open space, boundaries, and Green Circle (including LEAP), which would be maintained as part of the Council's Grounds Maintenance Contract, once constructed.
41. Places Leisure have been engaged and consulted during this stage of work to ensure the proposals would be acceptable.
42. A report will be brought forward at the appropriate time to seek approval for the Director of People and Commercial Services and the professional team to negotiate with Places Leisure for the operation of the CfOS site as a variation to the existing leisure management contract.

Land Transfer by Homes England

43. Regular engagement meetings have been held with Homes England and the CfOS professional team during this stage of work.
44. Homes England are to hand over the CfOS site in phases, as shown in Appendix A (Land Transfer Plan), with the intention to hand over the majority of site in March 2023, with a second phase to come forward approximately twelve months later including the flood attenuation basins.
45. Homes England are progressing the disconnection and removal of UKPN and BT utilities which cross the CfOS site. An agreement in principle has been reached for these utilities to be removed by Homes England by August 2023. These have been highlighted as a risk to the handover date.
46. Due to the initial phase of work to strip the CfOS site prior to further development, it is necessary to achieve approval for the reserved matters and for the nesting season to conclude. Therefore, the earliest effective start on site date for the delivery phase of the CfOS facilities is September 2023, which provides some float in the handover of Phase 1 by Homes England.

Legislative / Policy Context

47. The concept of a new, dedicated outdoor sports facility for Burgess Hill is supported by the following key strategic documents:
 - The MSDC District Plan
 - The Burgess Hill Town Wide Strategy (2011)
 - The Burgess Hill Neighbourhood Plan (2015)
 - The MSDC Playing Pitch Study and Action Plan (2019)
 - The Mid Sussex Local Football Facility Plan (2021)

Financial Implications

48. The financial implications are detailed in the exempt Annexe to this report.
49. The proposals contained within this report will be the subject of a Capital bid once prices are known and a full funding strategy is agreed. It is intended that this, and future phases of the project will be funded by s106 funds specifically collected for this purpose.

Risk Management Implications

50. A number of key risks have been identified. These have been set out in more detail, alongside proposed mitigation measures, in the Stage 2 report.
- (a) Design Review Panel / Urban Designer feedback: there is a risk that improved external materials or increased investment in the scheme is required to satisfy the requirements of Officers and the Design Review Panel, which would increase the capital costs.
 - (b) Ecology: work to conclude ecological requirements, including incorporating the mammal crossing, is ongoing and will be included within the Reserved Matters Application. Any significant ecological requirements may impact programme and / or capital costs.
 - (c) Ground conditions: it is currently assumed there are fair ground conditions. The initial phase of site investigations were undertaken in December 2022. The second phase of site investigations is being planned for April 2023 following handover of the site by Homes England. This work will inform the sub-structure design.
 - (d) Services: the development of the site wide services proposals may highlight works not currently allowed for.

Equality and Customer Service Implications

51. Equality Impact Assessments will be undertaken, as required, at appropriate points during the development and implementation of the Centre for Outdoor Sport project.

Other Material Implications

52. None

Sustainability Implications

53. This project has been developed in line with the key actions identified in the Council's Sustainable Economy Strategy.
54. The proposed CfOS facility is an 'all electric' building with roof mounted photovoltaic panels with the aim of being net zero in operation. This will be developed further during the detailed design stages.

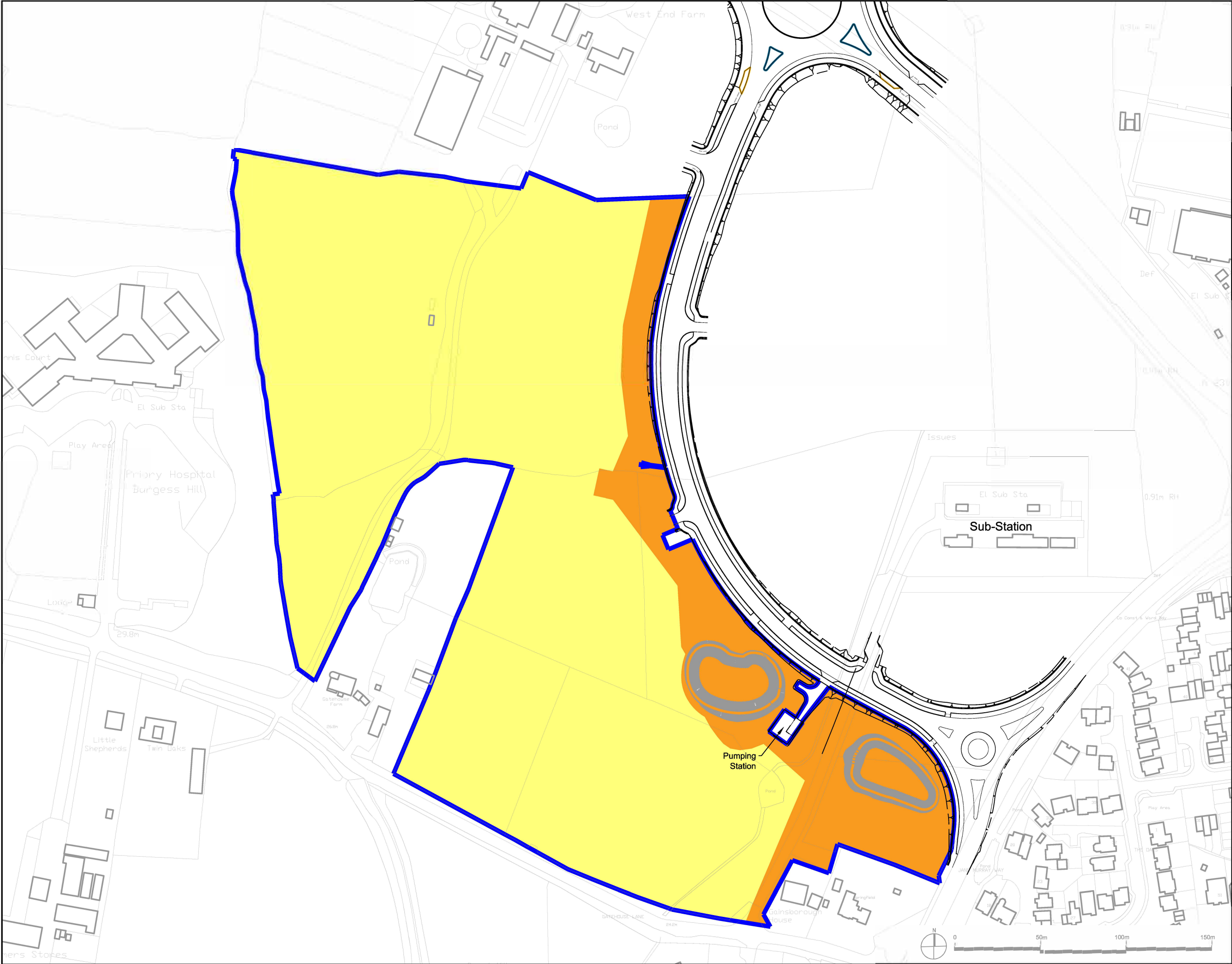
Background Papers

55. None

Appendices

Appendix A – Land transfer plan
Appendix B – CfOS site plan graphic
Appendix C – CfOS clubhouse layout graphic

Appendix A- Land transfer plan



NOTES

KEY:

- Centre for Outdoor Sport Site Area: 9.65 ha
- CfOS Phase 1 Land: 7.85 ha
- CfOS Phase 2 Land: 1.80 ha

03	02.11.22	Amendment to Phasing Areas	IW	JS	JS
02	22.09.22	Updates for legibility and to Key	IW	JS	JS
01	28.07.22	Addition of Annotations	IW	JS	JS

Rev	Date	Detail	Made	Chkd	App'd

Client: **Homes England**

Project: **Northern Arc Burgess Hill**

Title: **Centre for Outdoor Sport Land Transfer Plan**

Design: SP	App'd: NS
Date: 20.06.2022	Scale: 1:2000@A3

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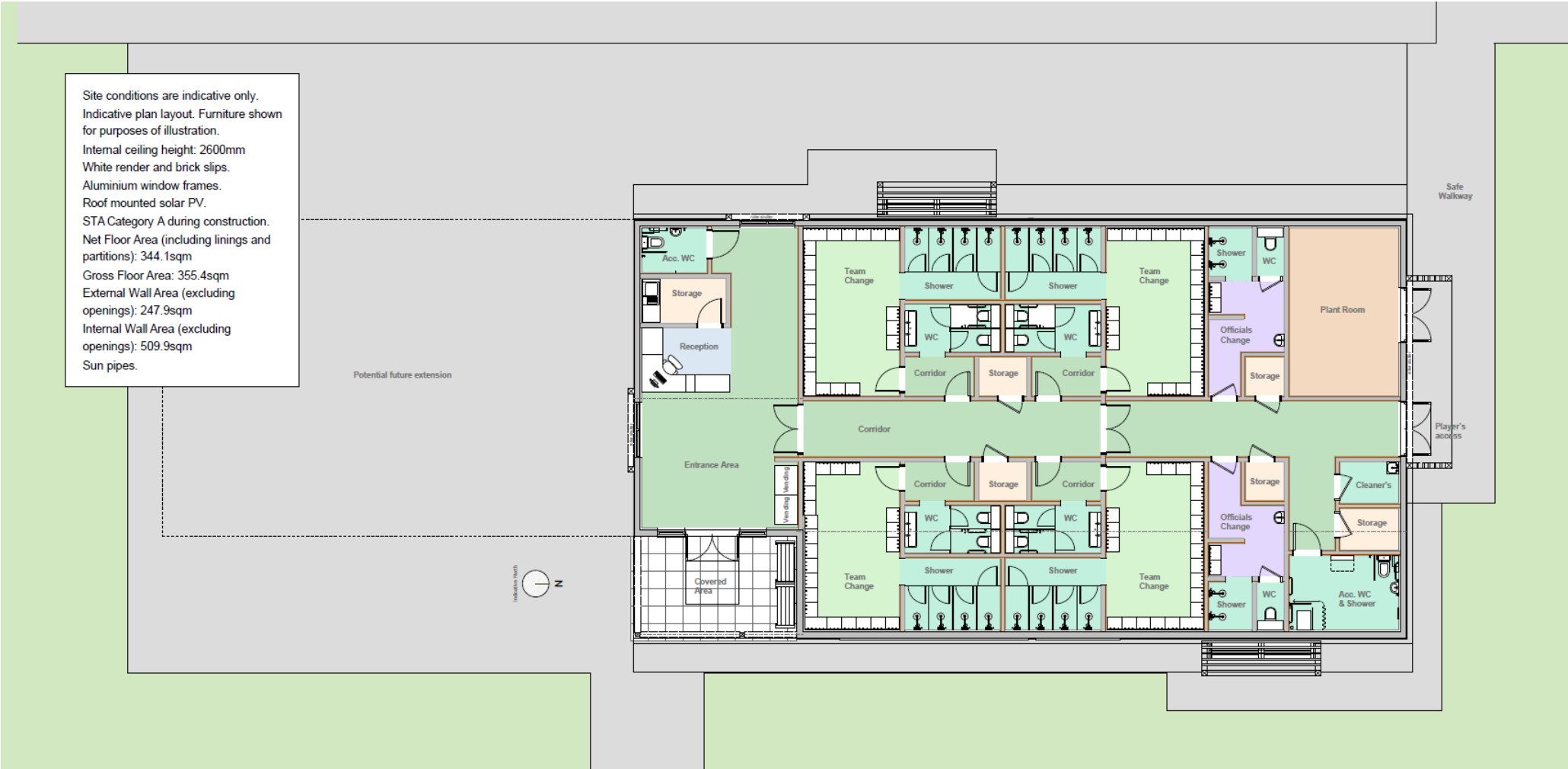
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Appendix B – CfOS site plan graphic



Appendix C- CfOS clubhouse layout graphic



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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