

**Minutes of a meeting of Council
held on Wednesday, 3rd November, 2021
from 7.00 pm - 8.45 pm**

Present: M Belsey (Chairman)
P Coote (Vice-Chair)

G Allen	S Ellis	G Marsh
J Ash-Edwards	R Eggleston	J Mockford
R Bates	A Eves	A Peacock
J Belsey	I Gibson	M Pulfer
A Bennett	S Hatton	R Salisbury
L Bennett	J Henwood	S Smith
P Brown	S Hicks	A Sparasci
R Cartwright	S Hillier	L Stockwell
P Chapman	T Hussain	D Sweatman
R Clarke	R Jackson	C Trumble
M Cornish	C Laband	R Webb
J Dabell	Andrew Lea	N Webster
R de Mierre	Anthea Lea	R Whittaker
B Dempsey	J Llewellyn-Burke	

Absent: Councillors A Boutrup, P Bradbury, H Brunsdon, E Coe-Gunnell White, R Cromie, J Edwards, B Forbes, L Gibbs, J Knight, C Phillips and N Walker

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 M Bright:

On 14/9/20 MSDC changed Clair Hall's status from a Performing Arts Centre to a Community Centre, to avoid the July 2020 Government directive to prevent the closure of such Performing Arts Centres. It is clear from the recent consultation that there is now an urgent need for a 'Meanwhile' solution for Clair Hall, to allow the community to re-discover normal life again, while replacement planning takes place.

Can MSDC assure the community that they will urgently plan for this Meanwhile solution?

Response from The Leader, Councillor Ash-Edwards

Clair Hall was a Community Centre when it closed in March 2020 in accordance with Covid restrictions. Since December 2020 there has been a meanwhile use in place in that it has been used by the NHS as a Covid and Flu vaccination centre. That work continues into the New Year. The Council will continue to support NHS use of the building as required.

The first stage of the public consultation and engagement programme on the future of the Clair Hall site closed on 22nd September.

The responses are now being analysed by the independent consultants so that the final report can be considered by the Cabinet in December. I would like to take this opportunity to thank members of the public and community groups that took part in that consultation.

The members of the public and community groups have taken part in the consultation with a reasonable expectation that the consultation responses will be considered before further decisions are made and that is what is going to happen.

Mr Bright asked a supplementary question about the Community Management and Asset Transfer Policy at Agenda Item 7 of the Council agenda. He believed that if implemented, the policy would limit the ability for a meanwhile solution to be developed. He asked if the policy could be changed to facilitate organisations to use the information that the Council holds regarding the historical performance of Clair Hall (in terms of finances, marketing, and use) such that anyone interested in a meanwhile solution will have the opportunity to face up to what is in the document, i.e., the onerous commercial requirements that no one will be able to fulfil on a community basis without the information provided by Council.

The Leader noted that the policy is for debate at this meeting and has been carefully considered at the Scrutiny Committee. He noted that it is right that there are sensible arrangements in place for community buildings should any asset transfer be considered. In relation to Clair Hall, he noted that no decisions have been made and he is not willing to prejudice the reporting of the consultation response to Cabinet in December and any decisions that will need to be made at that point. He also reiterated that a meanwhile use has been in place since December 2020, and it is ongoing.

3. TO CONFIRM MINUTES OF THE MEETING OF COUNCIL HELD ON 29 SEPTEMBER 2021.

Councillor Brown proposed two amendments to the minutes relating to the wording of his proposal of Motion B, Climate Change and these were agreed by the Chairman.

Councillor Eggleston proposed that the minutes of Motion B do not reflect the inclusion of Councillor Henwood's amendment to the motion. It was clarified that the subsequent Motion put forward from Councillor Bradbury was agreed by Council and the minutes reflect the content of this accurately, therefore no further amendment is required.

The minutes of the meeting of Council held on 29 September as amended by Councillor Brown were agreed as a correct record of the meeting.

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 spoke of her attendance at recent events, details of which are available on the Council's website. She announced that following the December Council meeting there will be refreshments for Councillors, with an invitation to follow at the proper time.

7. COMMUNITY MANAGEMENT AND ASSET TRANSFER POLICY.

Councillor Webster moved the item noting that it was considered by the Scrutiny Committee on 7 June 2021 and subsequently by Cabinet. He confirmed that the policy sets out the broad principles, criteria, and process for considering requests or inviting submissions for new or existing Council owned assets for community management. It also formalises current practice. This was seconded by Councillor Llewellyn-Burke who reiterated that it is a policy framework which should make it clearer for residents in the community to know the pathway ahead if they want to lease a building.

Several Members were in support of the policy but noted that the default requirement for a full repairing lease may be unduly onerous for many small charities when taking on an existing property. Rent subsidy, risks and liability were discussed, as well as a request to audit the Council properties to gain an understanding of what is required to meet the new building carbon requirements. The Cabinet Member for Community reiterated that the policy set out broad principles and that the Council does want community organisations to flourish and partnership working will be at the forefront of any discussion on these issues. The Council will also continue to signpost any relevant local and national grants which may assist.

The Chairman took Members to a vote on the recommendation which was taken by a show of hands. The recommendation was approved with a clear majority.

RESOLVED

Council adopted the Mid Sussex District Council Community Management and Asset Transfer Policy.

8. TO RECEIVE THE LEADER'S REPORT.

The Leader acknowledged the Chancellors Autumn Budget and Spending Review where the outcome of the Levelling Up Fund (LUF) first round was announced. He agreed that it was disappointing that the Burgess Hill bid was not successful in the first round but noted that with over 300 bids submitted it was a highly competitive process. 105 bids have been awarded, the vast majority of which were in the highest priority/needs areas set out in the LUF prospectus. Only 15 projects in southern

England were successful in round one, with a clear emphasis on bids on the coast for those categorised initially as in most need. He acknowledged that only around a third of the Levelling Up Fund has been announced in round one and the Council has requested a feedback meeting to support an application to further rounds of the Fund.

He confirmed that the bid for Burgess Hill is strong and these are important projects for Burgess Hill and the local economy, noting that the Council will continue to work with local MP's and New River to make the case for them to be delivered. The Council will also continue to explore all options to unlock public and private investment including considering a bid to round two of the LUF which is expected to open in Spring 2022.

A Member submitted nine questions on the bid, noting the disappointment felt by residents of Burgess Hill on the delays in redeveloping the Martlets Shopping Centre, a high priority for the area. In response to the questions, the Leader noted that as the Council was only made aware of the outcome of the bid last week it was therefore too soon to provide more detailed information on the next steps, but feedback will inform development in this area. In terms of Member involvement in the resubmission of the bid, he confirmed that bids are regularly submitted on behalf of communities and are only done so on existing policy commitments that have had prior input from Members. The resubmission will take into consideration the criteria for round two and may remain the same or be amended accordingly, including any feedback from the Government and changes in the market. In terms of timescales, it is expected that the second bid opens in Spring 2022 with a decision potentially being made in the Autumn 2022 budget. In response to how the timescale would be secured with New River it would follow the same case as round one where timelines are in place to ensure delivery as a condition of the funding. He noted that the Council will continue to work with WSCC (West Sussex County Council) over the design of the public realm for Church Walk and Church Road in a way which allows for enhancements through any bid.

In response to a query on the alternative option if the bid is unsuccessful, the Leader confirmed that the criteria for the LUF is such that projects could only be considered if there were no other options available. The Council will need to take time to explore all the available options now that the first bid was unsuccessful and will work towards making progress in this area. Several Members sought a temporary measure for the vacant land in the centre of Burgess Hill. It was noted that options have been considered in the past but did not meet the relevant criteria. It could also potentially delay the main development project, however the Leader noted that should the second bid be unsuccessful, nothing has been ruled out.

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

The Deputy Leader noted that the Orchards Shopping Centre has let a further two units and discussions are underway to let the remaining unit. She noted that it is possible for independent retailers to take on new units and would like to see that replicated in Burgess Hill. She acknowledged a Member's concern that units in Burgess Hill are in a dilapidated state, noting that the Orchards is owned and managed by the District Council whereas the Martlets is not, however she agreed that shopping centres need to be kept updated and attractive and the Council will continue use whatever measures it can to help Burgess Hill.

Cabinet Member for Economic Growth

The Cabinet Member noted that park and display usage continue a slow recovery with September transaction numbers 22% down on September 2019 figures compared with 24% the previous month. Council car parks continue to support the national mobile Covid testing programme. He noted that a current and new initiative is the West Sussex Retail Hub which is an online training platform that will run until 2023 and 30 Mid Sussex-based businesses have already signed up. The Council has further promotion work in train to encourage more to take up this opportunity.

He also acknowledged how closely the Economic and Revenue and Benefits teams have worked on the Covid grants programmes and this has been enhanced with regular joint meetings with local Department of Work and Pensions (DWP) and Job Centre officials. This has facilitated a useful exchange of data and contextual evidence to help understand sectors where there may be unfulfilled vacancies or where higher levels of redundancies are emerging and so inform activities that the Council can take by way of things like retraining programmes to mitigate these dynamics.

Cabinet Member for Customer Services

The Cabinet Member noted that the Council is contacting businesses to alert them to the chance of applying for the retail and nursery discount, noting that the Chancellor announced that this will continue. She confirmed that test and trace applications have been extended to end of March 2022 and the number of applications has increased.

She confirmed that the Council is looking to extend the 'Tell Jo' project to understand the impact at the end of furlough. As at the end of September there were 3600 people on furlough, and it is important to understand the impact to offer help to those who have not found new jobs. She reiterated that the joint outreach hubs with the DWP are going well and there are exciting initiatives coming up on these. The Council is also awaiting details of the discretionary covid business rates relief scheme which should be available by end of the fiscal year.

In terms of Communications, the Cabinet Member confirmed that the next edition of Mid Sussex Matters is due out imminently and the Council has a social media campaign related to COP26. The Digital Infrastructure Programme is progressing well, and the Council is working with Cooperative Network Infrastructure (CNI) to support the commercialisation of the scaffold network. A website is being developed that will also allow suppliers to track service requests. A digital workshop is being planned for Members in the new year to provide more information. She also noted that as part of the many social value projects delivered through the capital programmes Balfour Beatty ran college engineering STEM challenges. One was with Hurstpierpoint College which won a CREST gold award. Balfour Beatty have also worked with a local primary school and on request, the Cabinet Member agreed to provide a written response with further details on this work.

Cabinet Member for Environment and Service Delivery

The Cabinet Member noted that the fuel shortage issue has been resolved and ID Verde have caught up with verge cutting that had previously been impacted by the shortage. He recently attended the opening of a new play area and MUGA (Multi Use Games Areas) at Maple Drive and the recent public consultation on Brooklands in East Grinstead, noting that this parks consultation is complimented by conservation and enhancements to the park and wetlands area as well as the play area. A return

of a water-based amenity is not ruled out either, but it would require further work and a business case before it can be brought forward.

He noted that initial consultation of the London Road recreation ground in Hassocks has just finished and he looks forward to attending a further meeting on this at the right time. In response to a Member's query on taking on the open green space in Pease Pottage he confirmed that this is forecast for the first tranche of parks coming forward in next fiscal year.

The Cabinet Member noted that the Council is responsible for removing fly-tipping and noted that whilst it has increased over past years, based on 2019/2020 figures there has been 391 instances in Mid Sussex compared to Chichester, Crawley, Horsham, and Arun who each had over 1000 instances. This is based on the total number of instances, not a per capita basis. The Council's response is to remove them quickly and given the rise in cases the Council will enforce cases where there is evidence to secure a successful outcome. Following training to Officers, a training session will be provided to Members as to the Council's enforcement processes. In response to a Member's query, he agreed to follow up with Officers and provide a written response to several individual fly-tipping queries. He also acknowledged the request of the Scrutiny Committee for Cabinet to include fly tipping in quarterly performance statistics.

With regards to COP26 he noted that the Council's social media campaign highlights its aims for the future. As part of this he is happy to announce that details of a potential food waste pilot will be presented to a Scrutiny Committee later this month.

Cabinet Member for Community

The Cabinet Member provided an update to a question asked at the last Council meeting regarding plans for a Women's Refuge in Mid Sussex to comply with the Government's requirement that all Local Authorities provide a refuge. He noted that it was a critical issue which effects men, women, and children. Under the new duty, Tier 1 Authorities (in this case West Sussex County Council, WSCC) are required to convene a Domestic Abuse Local Partnership Board, complete a needs assessment, prepare and publish strategies, commission support to victims of domestic abuse and report back to Central Government that they have met this. WSCC have been allocated funds to meet their obligations and are in the process of setting up a partnership board. He noted that if a resident of Mid Sussex were seeking refuge, the overriding priority is that they are accommodated in safe accommodation which could be in the District, but the closest at this time is in Crawley.

In addition, three Tier 1 Sussex Authorities commissioned the Police and Crime Commissioner's Office to undertake a pan-Sussex needs assessment and strategy on supported accommodation. A draft has been produced and is out for consultation and the Cabinet Member urged residents to take part and have their say on this consultation.

He also noted that as a Tier 2 Authority, Mid Sussex District Council was given modest funding to support the Tier 1 Authority. It was agreed at the West Sussex Strategic Partnership Group that the funds would be pooled and managed by WSCC for projects that covered all Boroughs and Districts.

Cabinet Member for Housing and Planning

The Cabinet Member noted that the Development Management team continue to maintain reliable performance and workload is up 11% which gives a positive budget performance as well. Planning Appeals are running at 80% dismissal by the Inspector which is an exceptionally good result. He noted that Freeks Lane development is coming on at pace which is positive as it has 50% affordable housing. He also noted that the Council is awaiting the Inspector's letter on the Sites DPD.

He confirmed that there are currently 113 individuals or families in temporary accommodation and the Council is in the process of examining the viability to extend its temporary accommodation stock by 11-13 units. He also noted a request from the Scrutiny Committee for a trend line on temporary accommodation acknowledging that it is driven by the economy. Currently, the trend line is likely to be linked to a steep curve as businesses remodel and redundancies may replace furlough, so this may affect housing needs for those residents.

A Member raised a question on a statement of Common Ground that the Council agreed with, relating to site SA22 of the Sites Selection DPD and the Cabinet Member agreed to respond in writing.

10. **QUESTIONS FROM MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE 10.2.**

The following questions were received from Councillor Paul Brown:

1. How many new-build homes have been occupied in Mid Sussex and equipped by the developer with solar PV systems in the financial year 2020-2021. What is the aggregate peak power capacity and the kilogrammes of CO2 equivalent emissions saved by these installations?

The following response was provided by the Cabinet Member for the Housing and Planning.

The Government does not require new homes to be built with solar PV systems so it is not data that we would gather. We focus on future requirements as laid down by Government.

There are two different regulatory regimes which relate to the development of new homes: planning and building regulations. Building regulations set mandatory standards regarding carbon reduction which must be met by developers; the Government does not require the same of the planning system. It is therefore down to the developers to meet the building regulations which they measure to show their compliance.

The Future Homes Standard sets out the Government's latest changes to building regulations to ensure the reduction in carbon emissions of 31% from the 2013 level. This comes into effect in June 2022 and by 2025 (the same year when gas fired boilers are no longer permitted in new development) the Future Homes Standard will require carbon reduction emissions of between 75% - 80% compared to current levels.

It is worth noting that to achieve a high energy performance rating from a building the starting point should be to minimise the need for energy consumption by ensuring a high level of insulation. This is the basis of the 'fabric first' approach. If the fabric first

approach is followed it has been proven that heat pumps (either ground or air source) are in fact more effective than solar panels.

The Cabinet Member also noted that information is available about DP36 but reminded Members that during examination the Inspector said the Council should not be so prescriptive in standards regarding greenhouse emissions.

Councillor Brown asked a supplementary question asking what information may be available on the installation of PV systems in affordable housing? The Cabinet Member agreed to ask Officers what information is available on this subject and write to him.

2. What is the peak installed power capacity of the solar PV system installed at 'Oaklands' Council Offices? What was the total energy generated and the equivalent kilogrammes of CO2 emissions saved by this system in the fiscal year 2020-2021?

The following response was provided by the Deputy Leader

The peak capacity of the solar PV system in the Council offices is 28.6 kw.

The annual report on the sustainability strategy, reported to Scrutiny Committee on 10 March 2021 stated that "PV panels on the Council's buildings produced 27,404 kwh of solar electricity during 2020-21 [the full year total increased to 27,467 after the reports publication]; a carbon reduction of 6.9 tonnes. This accounts for approximately 10% of the council's electricity demand. Overall, since 2017, 88,493 kwh of pollution-free electricity has been generated, the equivalent of the annual emissions from 25 homes."

She also noted that the SERCO depot at the Bridge Road Industrial Estate saved about 6000 tons of carbon per year.

Councillor Brown asked a supplementary question seeking clarification as to whether the response referenced carbon dioxide equivalent or carbon? He also sought clarification on the numbers provided as there were 6.9 tons of co2 savings at Oaklands and 6000 tons at the SERCO depot. The Deputy Leader agreed to provide a written response.

The meeting finished at 8.45 pm

Chairman