

**Minutes of a meeting of Council
held on Wednesday, 2nd November, 2022
from 7.00 pm - 9.44 pm**

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

K Adams	B Dempsey	J Mockford
G Allen	J Edwards	A Peacock
J Ash-Edwards	S Ellis	C Phillips
R Bates	R Eggleston	M Pulfer
J Belsey	A Eves	R Salisbury
A Bennett	L Gibbs	S Smith
P Bradbury	I Gibson	A Sparasci
P Brown	S Hatton	L Stockwell
R Cartwright	J Henwood	D Sweatman
P Chapman	S Hillier	C Trumble
E Coe-	R Jackson	N Walker
Gunnell White	J Knight	R Webb
M Cornish	Andrew Lea	N Webster
R Cromie	Anthea Lea	R Whittaker
J Dabell	G Marsh	
R de Mierre		

Absent: Councillors L Bennett, A Boutrup, H Brunsdon, R Clarke,
B Forbes, S Hicks, T Hussain and C Laband

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.

The following question was received from Ms Wilcock

Please clarify how the Agents appointed in relation to Clair Hall are to be paid. The BOP stated this would be a percentage of the capital receipt received by the Council. The Council has repeatedly said that Clair Hall would be leased and not sold or disposed of. A capital receipt is the funds received on the disposal of a fixed asset, and recorded on the balance sheet, whereas rental income from a lease is recorded in income accounts. So if Clair Hall is leased how does a capital receipt arise, and thus how are the Agents to be paid?

The following response was provided by the Leader:

Thank you for your question. As you know the Cabinet in October agreed to continue our ambition to seek an investment partner and cultural anchor tenant for a modern fit for purpose venue on the Clair Hall site.

Currently, officers are working to commission a specialist broker/agent to develop proposals on how to take two agreed models to the market in order to improve the chances of successful delivery of this project.

The question of how an agent will be paid for such work is premature and will clearly be subject to the proper procurement process. The commissioning work will be reported back to the Cabinet in the New Year.

I can confirm that the strategic success criteria agreed in July included the commitment that the Council will not sell the site and that remains the case.

Ms Wilcock asked a supplementary question noting that it appeared to be a question of semantics. She stated that 'selling is disposing and if you are proposing to receive a capital receipt from selling off Clair Hall, that is a disposal and you are misleading the public by referring to it as leasing. A long lease for a premium is a disposal.'

The Leader responded, rejecting the characterisation of the Council's work or intentions, stating that it is untrue. No decision has been made other than to take forward 2 options – to seek an investment partner and cultural anchor tenant and to take that to market. The commissioning of the agent is still to be done and we haven't gone to market so to infer that an outcome has been agreed is incorrect.

The following question was received from Ms Weinstein

The Mid Sussex Climate Coalition welcomes the commitment of Council to set net zero targets. Many national governments, including our own, have had net zero targets in place for several years but the UN has been warning us that the limited action being taken to reach those targets means that the planet will warm to a very dangerous level of above 1.5 degrees before 2030. We would therefore ask the Council why they are not following the example of other local authorities such as Worthing and setting targets for 2030 to ensure that the necessary action is taken urgently.

The following response was provided by the Cabinet Member for Economic Growth and Net Zero

The Council agrees that action plans are an important tool in the delivery of evidence-based net zero targets. That is why this Council recently adopted its Sustainable Economy Strategy and why it has committed to the preparation of a net zero carbon programme to meet the targets we are recommending this evening.

The net zero targets proposed tonight are based on significant evidence prepared by industry experts.

You will note that we are proposing to set a more challenging target for emissions in our direct control as we can actively influence the achievement of this target. However, it is more difficult to set realistic and achievable targets in respect to the emissions the Council cannot directly control. In this case we are heavily reliant on the implementation of national legislation and policy to secure reductions in carbon emissions (for example ensuring our energy suppliers are carbon zero). Therefore,

we consider it responsible to align our target to the national target. Currently the national target is to achieve net-zero in the UK by 2050.

You are correct that Councils have adopted different net zero targets - unfortunately not all of them are evidenced based and in my view may not be deliverable.

Although Adur & Worthing Councils have pledged to be carbon neutral for the emissions, they control by 2030 their net zero target for the district and borough is in fact 2045. Without national policy and legislation in place it is difficult to see how this will be achieved. I believe our work has enabled the Council to agree an evidenced and pragmatic target which is aligned to national expectations.

Ms Weinstein asked a supplementary question noting that there are 2-fold issues, that of National Government and the difficulties faced by the local community, businesses, and residents. She asked 'What is this council doing to implore National Government to get on and provide the leadership that you require to do what you need to do and are you working together with the local community as the last time I was here you were looking forward to working with local green and environmental groups to get us all meeting those targets. How is that going?'

The Cabinet Member responded by stating he is confident that National Government are fully aware and has heard from our MP in discussions with other countries around the world, that they are very admiring of our position. He is confident that the expectations of this Council are aligned with the Government. They have committed a huge number of resources and in many ways are globally leading on the industries and all the technology that is required. In terms of the second part of the question this will be addressed later in the meeting. If the targets are agreed, then the next part is to set out the action plan and the next step is to convince and help the community in doing what they can to help us achieve our net zero targets.

3. TO CONFIRM MINUTES OF THE MEETING OF COUNCIL HELD ON 12 OCTOBER 2022.

The minutes of the extraordinary meeting of Council held on 12 October 2022 were agreed as a correct record of the meeting and signed by the Chairman.

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

In respect of item 7, Councillor Eggleston declared an interest related to DPH7 where the tenant is Burgess Hill Town Council and he is Leader of the Town Council. He also listed the following Councillors who are also Members of Burgess Hill Town Council; Councillors Eves, Cornish, Henwood, Cartwright, Allen, Gibbs and Chapman.

Councillor Gibson and Councillor Jackson declared an interest in item 7 as West Sussex County Councillor for Imberdown and Member of Hurstpierpoint and Sayers Common Parish Council, respectively.

Councillor Andrew Lea declared an interest in item 8 of the agenda as he has a personal project on the subject and agreed to leave the meeting prior to discussion on the item.

Councillor Bradbury declared an interest in item 10 as Chairman of West Sussex County Council and Chairman of the 'Building Heroes' charity.

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

None.

6. CHAIRMAN'S ANNOUNCEMENTS.

The Chairman highlighted two engagements in December to which Members are invited; the Annual Civic Service on Sunday 4 December at St Swithun's Church, East Grinstead and the next Council meeting on 7 December which will be followed by refreshments.

7. CONSULTATION DRAFT DISTRICT PLAN - REGULATION 18.

The Solicitor to the Council clarified the decision that the Council was being asked to take and how the 4 appendices were set out in the Council report pack.

Councillor Salisbury moved the item with an amendment to clarify the position around DPH7, noting that the wording under policy requirements in DPH7 on p155 of the Consultation Draft District plan, should be read "in the round" with DPI5 on p214. The 9th bullet point on p155 of the Council reports pack about re-provision of allotments will now read:

"Secure the provision of an equal number of allotments in Burgess Hill in line with Policy DPI5."

He noted that the document had been considered by 4 cross-party workshops and 2 Scrutiny Committees, and endorsed by these groups to go out to a Regulation 18 consultation for stakeholders to put forward their comments. This was seconded by Councillor Ash-Edwards.

An amendment was proposed by Councillor Eggleston and seconded by Councillor Henwood. The amendment was to the start of first recommendation to include the wording:

'Save for the removal of site DPH7 in the draft District Plan.'

In proposing, Councillor Eggleston highlighted the fragile nature of the lease arrangement between Burgess Hill Town Council and Network Rail regarding the site which is used for allotments. Noting that the Town Council allotment sites are set out in the Neighbourhood Plan, he acknowledged that the Town Council has a statutory duty to provide allotment sites but has no land of its own. Should Network Rail not renew the lease, there would be no requirement for allotments to be re-provided and it would represent a loss of 24% allotment sites with no alternative provision available.

In seconding the amendment, Councillor Henwood noted that the methodology for all sites was approved but that Burgess Hill Station was not addressed specifically in the working groups. She also drew attention to the need to support the health and wellbeing policies of the Council noting that allotments have a significant impact for residents in this regard. There are 63 allotments on this site with an extensive waiting list and no alternative option within 20 minutes' walk.

Significant discussion was held on the amendment. Several Members agreed with its sentiment, noting that allotments were important for the community in terms of health, wellbeing and supporting the ability to grow local produce. Two Members requested that alternative allotment sites are urgently sought, and residents are kept informed of the proposed alternatives, reiterating both the human impact, and effect on wildlife of the potential allotment loss.

Discussion was held on the impact of the amendment on the oversupply for resilience. The Cabinet Member acknowledged Councillor Eggleston's position but noted that removing the site would take 300 properties out of the Draft Plan, leaving an excess of only 2. It also gives the potential for those 300 properties to be built on greenfield land, both of which are not acceptable. He noted that the site is not a statutory allotment site, it is brownfield land, and the landowner could at any point terminate the lease and do whatever they wish with the land. The Cabinet Member's original motion provides instruction on what can be done in this instance.

A point of order was raised by Councillor Eggleston to clarify the position regarding the 300 units. He noted that 100 are allocated in the Burgess Hill Neighbourhood plan so it is only an increase of 200 on the station site.

Prior to a vote on the amendment, the Leader concluded by acknowledging that the discussion is regarding ways that the allotments can be protected for Burgess Hill residents. The amendment would take out the site but does not offer any protection whereas the original motion would introduce a policy requirement that any development would require a re-provision of allotments at the planning application stage.

A recorded vote was requested with five supporting Members. The Chairman took Members to a recorded vote on the amendment which was lost with 19 in favour, 25 against and 2 abstentions.

	For	Against	Abstain		For	Against	Abstain
Adams, K.		Y		Gibson, I.	Y		
Allen, G.	Y			Hatton, S	Y		
Ash-Edwards, J.		Y		Henwood, J.	Y		
Bates, R.	Y			Hillier, S		Y	
Belsey, J.		Y		Jackson, R.	Y		
Belsey, M.		Y		Knight, J.		Y	
Bennett, A.	Y			Lea, Andrew		Y	
Bradbury, P		Y		Lea, Anthea		Y	
Brown, P.	Y			Marsh, G.		Y	
Cartwright, R.	Y			Mockford, J.	Y		
Chapman, P.	Y			Peacock, A.		Y	
Coe-Gunnell White, E.			Y	Phillips, C.	Y		
Coote, P.		Y		Pulfer, M.		Y	
Cornish, M.	Y			Salisbury, R.		Y	
Cromie, R.		Y		Smith, S.			Y
Dabell, J.		Y		Sparasci, A.	Y		
de Mierre, R.		Y		Stockwell, L.		Y	
Dempsey, B.	Y			Sweatman,		Y	

				D.			
Edwards, J.	Y			Trumble, C.		Y	
Eggleston, R.	Y			Walker, N.		Y	
Ellis, S.		Y		Webb, R.		Y	
Eves, A.	Y			Whittaker, R.		Y	
Gibbs, L.				Webster		Y	

An amendment was proposed by Councillor Brown and seconded by Councillor Eves. The amendment was to the Resolution of Agenda item 7.4.1 to replace '6' with '9' so that the resolution reads:

'Approve the following documents for Regulation 18 consultation for a period of 9 weeks commencing 7th November 2022.'

In proposing the amendment Councillor Brown noted that it allows an extended opportunity for the public, stakeholders and third tier Local Authorities to consider the plan.

Discussion was held on the pros and cons of extending the timeline. The Cabinet Member noted that 6 weeks is the statutory timeframe for consultations, and this is reflected in the Council's adopted statement of community involvement. There has only been one request for a 12-week consultation process from the CPRE and in previous 6 week long consultations, no one has written in to complain about the timeframe. He noted that 2000 comments were made by over 1300 respondents on the Site Allocations Development Plan Document and there are a range of mechanisms set out in Appendix 4 that the Council uses for engagement. There will also be a further consultation at the Regulation 19 stage.

In seconding the amendment Councillor Eves noted that it was a compromise to the 12 week extension proposed at the Scrutiny Committee and a chance for people to consider the plan over the Christmas period.

The Chairman took Members to a vote on the amendment which was lost with 16 in favour, 25 against and 3 abstentions.

Discussion resumed on the substantive motion, focussing on policies DPN1 and DPN2 (biodiversity and biodiversity net gain) and the extent to which the Council has completed mapping the ecology of the District. The Cabinet Member for Economy and Net Gain noted that Sussex Nature Partnership has been identifying and mapping areas in the District where nature recovery could be focussed. This will build on the historic mapping of priority habitats, green infrastructure, and Biodiversity Opportunity Areas (BOAs). The benefit of the Sussex Nature Partnership carrying out this mapping is that there will be a strategic approach across both East and West Sussex and because of this the Council does not need to commission the work originally anticipated in the Sustainable Economy Strategy. He also noted that work is beginning on the emerging Local Nature Recovery Strategy which will be co-ordinated across West and East Sussex County Council and the Sussex Nature Partnership and provide opportunity for local consultation and engagement going forward.

Discussion was also held on the traffic implications, infrastructure requirements and urban planning and the need to engage with communities over their needs for housing.

In seconding the original motion, the Leader noted that the consequence of carrying out the District Plan review is significant and gives the community control over what development takes place as opposed to leaving it open to unscrupulous developers and it gives the Council the ability to bring in more up to date policies.

The Chairman took Members to a vote on the recommendations as set out in the report which were approved.

RESOLVED

Council:

- I. Approved the following documents for Regulation 18 consultation, for a period of 6 weeks commencing 7th November 2022:
 - (a) Consultation Draft District Plan (Appendix 1) (as amended with the 9th bullet point on p155, 9th bullet point to read "Secure the provision of an equal number of allotments in Burgess Hill in line with Policy DPI5.")
 - (b) Sustainability Appraisal (Appendix 2)
 - (c) Habitats Regulations Assessment (Appendix 3)
- II. Approved the Community Involvement Plan (CIP) (Appendix 4)
- III. Authorised the Assistant Director for Planning and Sustainable Economy, in consultation with the Cabinet Member for Planning, to make any necessary minor typographical and factual changes to the above documents prior to consultation.

Councillor Andrew Lea left the meeting prior to the next item.

8. MID SUSSEX NET ZERO TARGETS.

Councillor Hillier moved the item noting that the work began with the approval of the Sustainable Economy Strategy and highlighted objectives 6, 8 and 13 of that strategy. He confirmed that the Scrutiny Committee has considered and endorsed the recommendations and Members have received a presentation on the subject.

He acknowledged that the proposed dates are long-stop dates and are heavily reliant on the Government for getting enabling legislation through, particularly around planning, and for achieving the huge tasks of decarbonising the energy sources and transport system. The Council also must balance the need for speed with keeping services affordable to the lower income council taxpayers. He encouraged Members to play their part by holding the Council to account as the pathways to net zero emerge. To assist this there will be periodic independent carbon re-baselining of both District wide and Council only carbon emissions with Council-only (directly controlled) happening once a year, Council-only (indirectly influenced) happening every two years and District-wide happening every three years. It is also important to continue to inform and support communities in what they can do as their part in reducing emissions.

Discussion was held on mitigation measures that are not within the Council's control such as solar technologies and road transport reductions as well as the need for assurance on the timeline for delivery of the Net Zero Carbon Programme. A Member requested a range of further items that they wish to see included such as a cycle path between Haywards Heath and Burgess Hill, e-bike and e-scooter schemes and workplace parking levies.

In seconding the item, Councillor John Belsey highlighted that the Council has been addressing the issue in several ways recently including the food waste trial, which is

currently underway, work carried out by the local cycling panel, rewilding schemes and ongoing work to move towards greener methods of transport in the vehicles used by both the Council and contractors.

The Chairman took Members to a vote on the recommendations as set out in the report which were approved.

RESOLVED

Council:

- (i) Approved the following recommended net zero targets:
 - a. A District-wide net zero target aligned to the national target.
 - b. A Council-only net zero target of 2040 for emissions the Council can directly control.
 - c. A Council-only net zero target aligned to the national target for emissions the Council can only indirectly influence.

9. TO RECEIVE THE LEADER'S REPORT.

The Leader noted that as part of the cost-of-living initiatives, the Council has secured funding to improve efficiency of homes. Up to £25k is available per home for insulation, solar and air source heat pumps if the property has an energy rating of 'E', 'F' or 'G' and household income is under £30k or in receipt of a benefit. An assessment will be made on the most appropriate measures in each case. He encouraged Members to promote this within the community and promotion materials will be released.

In response to a query on the current position of investment zones, since the recent change in Prime Minister, the Leader noted that there had not been a formal announcement by the Government, though it may be included in the Autumn Statement. He maintained the importance of making a case for investment within Mid Sussex.

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

Deputy Leader

The Deputy Leader highlighted a recent press release confirming that 29 tonnes of food waste had been collected in the past 4 weeks, noting that feedback on the scheme has been good. In answer to a question from Councillor Gibson, he agreed to feedback statistics on how the food waste amount collected is benchmarked against other Districts.

He provided an update on the Centre for Outdoor Sports as a meeting with England Athletics has now taken place. They do not support any new running tracks unless they are direct replacements, but they would support a running loop around the centre. This is being discussed further as well as discussions to maximise facilities at a local school. He noted a Member's comment that Burgess Hill Rugby Club wish to be involved in any discussion regarding the Centre and another Member's comments regarding the popularity of Park Runs, highlighting that there is one in East Grinstead as well as Haywards Heath. Should volunteers wish to start a Park Run in Burgess Hill he acknowledged that the Council would be happy to support it should it be held on Council owned land.

He noted that consultations for Hemsley Meadow, Finches Field and Hollands Way play areas have taken place and were well attended. The Hollands Way play area will be next to the Quarry Café which will be an exciting scheme providing a valuable and fresh community space in East Grinstead. He also welcomed a new bonfire society in Ashurst Wood.

Cabinet Member for Economic Growth and Net Zero

The Cabinet Member had nothing further to report at this time.

Cabinet Member for Community

The Cabinet Member began by noting the positive result of a 94% submission rate so far for the Annual Electoral Canvas. He also noted that following the Electoral Review of Mid Sussex, the Parliamentary Order was made on 14th July and came into effect on 15 October. The Council's Electoral Services team has prepared the maps, prepared and checked polling districts boundaries and are prepared produce the new Electoral Register by the end of the month.

He noted that the Local Land Charges Registry was migrated to the Government's Land Registry on 21 March and searches to enable property completion are now by an online self-service portal with instant results. He also reported that the Council's legal practice has been assessed and awarded an Excellence in Legal Practice Management and Client Care mark by the Law Society.

The Cabinet Member welcomed the Director for Resources and Organisational Development and highlighted details of grants awarded at the October Cabinet Grants Panel. These include a grant to Foresight Vision Support to fund the production of newsletters in an accessible format, a grant for Careers Support West Sussex for a project to identify and engage with male carers in Mid Sussex, a Microbusiness grant for staff training and registration for the installation of solar panels and two sets of funding to support the hiring of apprentices.

He also highlighted that a Warmer Homes video has been put on social media and a press release (28 October) that provides further details. Also, as more social prescribers are appointed, the Wellbeing team are getting a greater number of referrals.

In terms of anti-social behaviour, he reiterated that it will not be tolerated, and the Council will use all powers at its disposal to prevent it. A public space protection order for car cruising is set to expire in April 2023 and officers will be carrying out work including consultation to include Jobs Lane and the A2300 where that been car racing in recent months. He also acknowledged a Member's question regarding anti-social behaviour on the increase in parks such as Worlds End and St John's Park, noting that the Police are aware and that the Community Safety Sub Group of the Mid Sussex Partnership Board have been allocated funding by this council (supported by the Police and Crime Commissioner) to provide 2 mobile CCTV systems which can be used in such locations. He also acknowledged a question from Councillor Cornish related to excessive car noise and the difficulty in photographing car number plates in the dark to submit a complaint. The Cabinet Member agreed to investigate what can be done in that respect.

He noted that an air quality management annual report has been discussed at the recent annual meeting and satisfactory results continue. He thanked Councillor

Hatton and Cllr Lord for their constructive engagement in the process. He also noted that the Environment Team remain busy with an upward trend in site visits.

In conclusion he noted that 20 Remembrance Services will be taking place throughout the District, each with a District Councillor laying a wreath on behalf of the Council. A Member highlighted information on a Government Survey which is taking place for 12 weeks, starting in November to collect feedback from the Veteran community on the access to and use of services for veterans. The Royal British Legion has also brought forward an 'everyday needs' grant designed to assist those who need help with everyday items such as kitchen appliances and energy costs. More information is available on the Royal British Legion's website. Discussion was also held on the Council's plans around improving on the current bronze level of the employment recognition scheme of SERFCA.

Cabinet Member for Leisure and Parking

The Cabinet Member noted that the three leisure centres continue to have an increased number of visits and membership. In August, attendance was 93% of 2019 levels and at the end of September there had been over 700,000 visits, on target to reach the aim of 1 million. She did acknowledge that utility expenditure continues to rise and impacts the overall financial position. Places for Leisure are about to install photo voltaic (PV) panels at the Triangle and LED replacements across all three centres, with a detailed report being presented to the Scrutiny Committee in November. In response to a question from Councillor Henwood, the Cabinet member confirmed that Places Leisure were paying for the PV panels and agreed to respond in writing on whether there are any plans to sponsor a PV plant on Council land. A Member also requested that the heating levels are reviewed, particularly at the Dolphin Centre.

The Cabinet Member noted that car park income is still significantly lower than 2019 but post-covid has been better than expected. An annual update will be presented to the Scrutiny Committee in 2023.

With regards to electric car charging points, there are 36 points active across District, with Queensway in East Grinstead going live by the end of week. She acknowledged technical issues with the Cyrus Road location, which hope to be resolved soon. Further installations are planned for Mount Noddy and Lindfield. In response to a question from Councillor Anthea Lea, the Cabinet Member agreed to provide data on the take up of charging points such as the four in Lindfield where it was noted that spaces are often empty.

Also, as part of the initial on-street phase a proposal has been made to install new public points across the District including Turners Hill, Burgess Hill, Haywards Heath, and Hassocks. A formal consultation on this begins on 10th November until 1 December 2022.

In conclusion the Cabinet Member encouraged Members to sign up for the Mid Sussex Marathon in April 2023.

Cabinet Member for Planning

Acknowledging that most of the discussion during the meeting had focussed on planning matters, the Cabinet Member concluded by noting that the performance level of the Development Management team remains high.

Cabinet Member for Housing and Customer Services

In response to a question from a previous Council meeting, the Cabinet Member confirmed that there were currently no homeless veterans, and that the Council does track that information.

The Cabinet Member encouraged Members to share information about the Turning Tides Bus, details of which can be found on a poster on the Council's Facebook page. She also acknowledged that Members could benefit from better access to information posted on the Council's website and work is ongoing to resolve this and send links directly.

In conclusion, the Cabinet Member highlighted the Coat Exchange facilitated by Haywards Heath Town Council which is taking donations of spare coats and providing them to those in need.

11. MOTIONS ON NOTICE.

The proposed motion was withdrawn by Councillor Alison Bennett who reserved her right to bring it back to a future meeting.

The Council agreed to the motion's withdrawal.

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

No questions received.

The meeting finished at 9.44 pm

Chairman