

## 5. BURGESS HILL TOWN CENTRE

REPORT OF: Tim Barkley, Better Mid Sussex Planning Leader  
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Wards Affected: All Wards in Burgess Hill  
Key Decision No

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### Purpose of Report

1. To provide Members with a further update on the work of New River Capital Limited (referred to as New River) to develop a proposal to improve Burgess Hill Town Centre.

### Summary

2. New River introduced themselves to this Group at the meeting held on 7<sup>th</sup> April 2011. At the meeting held on 28<sup>th</sup> July 2011 they set out their initial thinking for the redevelopment of part of the centre. Since then, New River have developed their thinking and held discussions with your officers and with Burgess Hill Town Council. Officers have shared information with them concerning the town centre car parks and the Martlets Hall to help their viability work. The Council is a major landowner in the town centre and the town centre generates important income for the Council.

### Recommendations:

3. **The Advisory Group is recommended:-**
    - 3.1 **To comment on the update provided by New River;**
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### Background

4. New River completed the acquisition of the Martlets Shopping Centre in late 2010 and has indicated that they wish to substantially improve the retail offer in Burgess Hill Town Centre. This meeting provides a good opportunity for New River to explain to Members the progress they have made since they outlined their ideas at the meeting of this Group on 28<sup>th</sup> July 2011.
5. Following the meeting of this Group on 28<sup>th</sup> July 2011, your Officers and the Town Council have met representatives from New River on several occasions. Information has been shared with them concerning the operation of the town centre car parks and the Town Council, working with West Sussex County Council, has provided New River with a brief for the replacement Library.
6. The Martlets Shopping Centre comprises approximately 123,000 sq. ft. of commercial floor space and is supported by a multi-storey car park which has 165 spaces of which nine spaces are for disabled car parking. Located within the shopping centre is the Martlets Hall, public library and public conveniences. New River is looking to substantially increase the commercial floor space, introduce strong anchor tenants, increase the parking provision and improve the public realm.
7. The current head lease has 128 years un-expired and the Council leases back the adjoining multi-storey car park. The Council leases the library to West Sussex County Council which expires in November 2072 at a current rent payable of £14,700 pa. This reduces to £250 pa in 2022 and rises to £500 pa in

2047. The higher rent received at the moment is, as a result of the repayment of a loan provided to WSCC by MDSC at the time of the refurbishment of the Library.

8. The New River scheme promotes a comprehensive approach to the Town Centre which should result in proposals that improves the retail circuit with the adjoining Market Place Shopping Centre. As Members will be aware, the adjoining Centre is enclosed with a large adjoining surface level car park, both of which are owned by the Council. The Market Place Shopping Centre is also held on a lease and the adjoining surface level car park has approximately 340 spaces and is subject to a license agreement, which expires this year.

### **Policy Context**

9. The Martlets and Market Place Shopping Centre form an important part of the overall Town Centre. Local Plan policies and the Economic Development Strategy are supportive of development and improvement of the Town Centre. The adopted Master Plan for the Town Centre provides additional guidance for prospective developers/landowners and adds details concerning the importance of an improved public realm, an enhanced retail circuit, accessibility and the need to provide some modern-sized retail units.
10. As Members will be aware, the Council is a major landowner in the Town Centre and in principle has been prepared to allow its own assets to be considered for inclusion in schemes in order to support enhancement of the Town Centre.
11. As with the other Better Mid Sussex work streams, the Council has chosen not to appoint a development partner to take forward the objectives in the Master Plan, preferring to encourage existing major interests in the town centres to come forward with schemes. Here in Burgess Hill, the new head lease holder of the Martlets Shopping Centre has expressed a desire to work in partnership with the Council to secure significant improvements to the Town Centre.

### **Financial Implications**

12. This report contains no financial implications. However, it is important to note that the Martlets Shopping Centre and the adjoining multi-storey public car park generate a significant revenue stream for the Council, which will need to be retained and, where possible, enhanced. If improvements to the Centre can be achieved, the capital value of the Council's freehold interest would be enhanced. In addition, the enclosed Market Place Shopping Centre and adjoining surface car park generate a significant income to the Council, which also needs to be safeguarded and, where possible, enhanced.

### **Risk Management Implications**

13. Cabinet has identified this project as one of the five Strategic Risks for the Council in 2011/12. The Better Mid Sussex Project risk is described in the following terms:-

“Risk1 Town Centre Revitalisation Project does not deliver anticipated improvements”

The aim of the Better Mid Sussex Project is to secure significant improvements in our town centres. The risk in 2011/12 is that the private sector is unable to progress the revitalisation of our town centres in accordance with our requirements, adopted policies and strategies. The result could be the loss of trade to competing centres which would have an adverse impact on the local economy and well-being of our towns. The work of this Group, the input and support from the Town Council and the response from the private sector in Burgess Hill is encouraging and indicates that the

project continues to make progress to achieve significant improvements in the town centre.

### **Equality and customer service implications**

14. This report provides the opportunity for Members to receive an update from New River and for Members to give some feedback. Consequently, it was not considered necessary to carry out an Equalities Impact Assessment at this time. However, should a proposal come forward, it will be necessary for New River to engage widely on their proposals, as potentially everyone in our community who uses/works/visits/has an existing business or lives in the town centre could be affected. This will include the business community, older people and disabled people, those with young children, public transport providers, motorists and cyclists.

### **Other Material Implications**

15. Proposals in Burgess Hill Town Centre will only come forward if schemes are viable, private sector funding is available at the time required and there is sufficient retail interest in occupying the new floor space.
16. The Council will need to have regard to how any scheme at the Martlets Shopping Centre is procured. The current advice is that procurement and the works contract rules only apply if the Council is seeking the delivery of public facilities. As a consequence, these issues may arise in connection with the Martlets Hall, public conveniences and Library if they form part of the proposals from New River. However, we are currently dealing with the existing lessees and, therefore, an open procurement exercise is not possible. The Council will need to be alert to these matters and may require specialist advice. In addition, the Council will have to show best value and this may require outside property advice at the appropriate time.

### **Background Papers.**

None.

## 6. BETTER MID SUSSEX PROJECT ANNUAL REPORT 2011

REPORT OF: Tim Barkley – Better Mid Sussex Planning Leader  
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Wards Affected: All  
Key Decision No

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### Purpose of Report

1. To present the annual report to Members on the progress of the individual work streams within the project.

### Summary

2. This is the second annual report to be presented to the Better Mid Sussex Advisory Group [BMSAG] and it focuses on the progress made in 2011 to take the project forward. The report identifies the progress that the project should make in 2012 and gives consideration to what else the Council could take forward to support improvements in our Town Centres. The recent Portas Review presented to Government outlines a number of actions which could be taken to improve town centres and the Council will need to be alert to the Government's response. The work of BMSAG in 2011 has laid the foundations for key schemes to be progressed in 2012 and this should allow for the frequency of its meetings to be reduced in the next Council year.

### Recommendations

3. **The Advisory Group is requested to consider and comment on the annual report**
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### Objectives of the Project

4. In the summer of 2010, Council agreed to the formation of the BMSAG with the following terms of reference: -  
To oversee the town centre revitalisation project, and advise Cabinet as appropriate.

The objective of the group is to progress the master plan for each town centre including seeking to achieve the following outcomes: -

- The development of strong and successful town centres;
- The development of new retail and commercial floor space, including residential development, where this is possible;
- Where relevant, in the particular town centre, the provision of new / replacement / refurbished community buildings and improved public realm;
- The enhancement of the accessibility of each centre, including car parking and public transport;
- The improvement to the environment in each town centre

## **Background**

5. In 2011, the Council continued to encourage the private sector to come forward with proposals to improve each of our town centres and on the whole, the private sector has responded positively despite the current economic situation. In addition, the Council has identified projects in the town centres which could be taken forward in partnership with the Town Councils and West Sussex County Council.
6. Another theme in 2011 was to withdraw out-of-date, or redundant, Landowner's Briefs which the Council had approved when it had a development partner. Only one brief now remains in place and that is for Burgess Hill Town Centre.
7. The BMSAG met eleven times in 2011 and heard from a range of private sector interests including Frontier Estates, New River Retail, La Salle, F&C REIT and Solum Regeneration. This private sector engagement can be seen as encouraging given the economic conditions that prevailed in 2011 and the challenge this poses to the viability of schemes. The BMSAG meetings have been well supported by each town council with the respective town clerks making contributions on a number of occasions. In 2012, the workload for BMSAG should decrease and this would enable a review of its role and to reduce the frequency of meetings.
8. An initial review of the recently published Portas Review commissioned by the Prime Minister and Deputy Prime Minister, which contains 28 recommendations, appears to support a number of the actions being taken by the Council to support and improve our town centres and indicates the number of key partners who are important to the wellbeing of town centres. The report highlights the key role of Neighbourhood Plans and the promotion of the "High Street" in them. The Council will need to be alert to the Government response.

## **Individual work streams**

### **Haywards Heath Railway Station**

9. In July 2011, the BMSAG received a presentation from Solum Regeneration who set out their emerging ideas for a major development at the station. Their proposal does not include any Council owned land. Solum Regeneration have since held discussions with Haywards Heath Town Council and they also attended the Open4Business event held on 9<sup>th</sup> November 2011. At the present time, Solum Regeneration have indicated that a planning application would be submitted in 2012 and if that is the case, the Council would have its usual planning role.

### **Queens Walk East Grinstead**

10. At the Cabinet meeting held on 3<sup>rd</sup> March 2011, the community requirements arising from a scheme which include Council owned-land was agreed. Progress with the project has not been as quick as anticipated but after several officer meetings with Frontier Estates, they attended the BMSAG meeting held on 20<sup>th</sup> October 2011. At the meeting, they outlined their plans for the redevelopment of a substantial part of Queens Walk. The scheme would include the redevelopment of the public car park at Queens Way. Officers have since met Frontier Estates and their advisors to explore the estate and legal issues arising from their proposal. If progress is made, the Council would have to consider entering into an agreement. The Heads of Terms would be presented to BMSAG for consideration and this would allow the BMSAG to give advice to the Portfolio Holder and Cabinet on the matter. If an agreement is not achieved in a timely fashion or cannot be achieved, the Council remains well placed to test wider private sector interest to take forward a scheme.

### **Victoria Park Haywards Heath**

11. As a result of some private sector interest in 2010, the Council started a process to promote a scheme to redevelop the existing public toilets with a café/restaurant and replacement toilets, based on the principles set out in the adopted town centre master plan. An advert seeking expressions of interest was placed over the summer and as a result twenty three information packs were sent out. In the event, none were returned to the Council. It does appear that the major issue was the current economic situation combined with some concerns about the footfall along South Road. The BMSAG meeting held on 15<sup>th</sup> December 2011 reviewed the situation and agreed to consider a revised brief for the project next summer. It is to be regretted that progress has not been made on this project but it is a reminder of the difficulties which exist, at present, of achieving inward investment.

### **Haywards Heath Town Centre**

12. In 2010, the agents for the head leaseholder of the Orchards Shopping Centre expressed an interest to work with the Council to improve the Orchards. There are lease issues they wish to address and they have confirmed a desire to seek enhancements to the retail offer at the Orchards. However, it was not until the meeting of BMSAG on 17<sup>th</sup> November 2011 that the agents and their advisors came forward to explain their thinking on improvements to the Orchards. Consequently, the progress which had been anticipated a year ago has not been made. Officers are to meet the agents soon to follow up on the presentation they gave to the BMSAG in November 2011.

### **Environmental Enhancements Hayward's Heath Town Centre**

13. Haywards Heath Town Council have been working hard to progress this project and gave an update to BMSAG at the meeting held on 22<sup>nd</sup> September 2011. There is a need to find financial support for the project so that the public realm design work can be taken forward. The Town Council intend to raise the matter at the next Central Mid Sussex County Local Committee meeting.

### **Haywards Heath Town Centre Promotion**

14. At its meeting on 30<sup>th</sup> June 2011, the BMSAG gave consideration to the action the Council could take to support Haywards Heath Town Centre. It resolved to support the production of a promotional pack, aimed at potential new retailers and investors in the town centre. Members will be aware there has been considerable debate on both the content and design of the document. A final version, based on an example of the private sector approach to such matters has now been prepared and it would be possible to produce a similar document for both East Grinstead and Burgess Hill Town Centre.

### **Burgess Hill Town Centre**

15. The BMSAG meeting held on 3<sup>rd</sup> February 2011 heard from the managing agents for the Market Place Shopping Centre. The agents have since obtained an outline planning permission to extend the existing food store at Market Place together with some minor alterations to the adjoining surface level car park. No reserved matters details have been submitted to the Council for approval. This is a private sector led scheme but the Council is the freeholder of the site so has both a property and planning role.
16. New River, the head leaseholder of Martlets Shopping Centre has attended two meetings of the BMSAG and is currently working up a proposal to improve the Centre. They have worked closely with the Town Council and have met your officers on a number of occasions in the last few months. In 2012, the Council can expect to

receive a formal proposal which the Council would have to consider. One outcome could be that the proposed Heads of Terms of a development agreement would be presented to BMSAG for consideration and this would enable the BMSAG to give advice to the Portfolio Holder and Cabinet on the matter. There would be a separate planning process to be followed.

### **Queen Elizabeth Avenue Burgess Hill**

17. Burgess Hill Town Council has been leading on a proposal to upgrade Queen Elizabeth Avenue, in accordance with the principles set out in the adopted master plan. There remains the opportunity for a comprehensive scheme involving a cycle way, tree planting and replacement street lighting. However, there is a number of competing infrastructure priorities which West Sussex County Council has to consider at the moment. Consequently, your officers have prepared a briefing paper for the next South Mid Sussex County Local Committee which seeks West Sussex support for the project. BMSAG will receive an update at their meeting on 8<sup>th</sup> March 2012.

### **East Grinstead Public Toilets**

18. This project has proceeded well in 2011 and was reported to BMSAG on two occasions. Planning permission was granted for the scheme at the North Area Planning Committee on 15<sup>th</sup> December 2011.

### **East Grinstead Railway Station**

19. Members will be aware that Solum Regeneration was not able to identify a commercially viable scheme at the station. To support regeneration of the area, the Town Council commissioned a master plan for the station area and are now looking at how that plan can be progressed. However, the station has benefited from Network Rail investment with the completion of extended platforms allowing for twelve car trains to serve the station and work has started on a new station building. Importantly, work has continued to complete the Bluebell Railway line into East Grinstead Station.

### **Other Projects**

20. Solum Regeneration has not been able to come forward with a scheme at Burgess Hill Railway Station and in 2012 the Council may wish to explore options with interested parties.
21. The BMSAG considered the future of Sadlers Yard in East Grinstead and have indicated support in principle to its redevelopment for housing, this being subject to a successful resolution to the relocation of the existing tenants.

### **Supporting the economic prosperity of our town centres**

22. The adopted town centre Master Plans were developed in 2005/6 and it had been anticipated that they would be reviewed and updated after about 5 years. This has not proved possible for a number of reasons. The main ones being the economic situation which has resulted in a delay in bringing viable schemes forward and the focus for the Council on bringing forward a District Plan. However, the key principles in the master plans remain valid and one area where the Council could make a difference is by taking forward the public realm objectives which are shown diagrammatically in each plan.

23. Although work has started on some aspects of the public realm objectives, as indicated above, these have yet to be developed into detailed schemes capable of being implemented over time by either the private or public sector[or jointly]. Each Town Council has made an effort to take elements of the public realm objectives forward. The BMSAG have been kept briefed on the emerging scheme in Queen Elizabeth Avenue, Burgess Hill and the Environmental Enhancements initiative in Haywards Heath. Both projects have support but have reached the key point of requiring them to be fully designed and costed for consideration by Members and the community. The result has been that progress on both projects to date has been limited.
24. One of the objectives of BMSAG is “the improvement to the environment in each town centre” and it is appropriate that the group should consider how to achieve such improvements in each town centre.
25. If it is possible to achieve an agreed and realistic public realm strategy for each town centre, the public sector would be able to plan its future investment to support environmental improvements over time. Importantly, having schemes would assist in discussions with the private sector on major development proposals in the town centres. In this way, the private sector could be encouraged to support and help deliver the strategy i.e. schemes such as those being discussed by Solum Regeneration, Frontier Estates or New River.

#### **Policy Context**

26. The projects referred to above have the potential to support a wide range of key Council Policies including those within the Economic Strategy, Local Plan, the adopted Master Plans, Sustainable Communities’ Strategy, Corporate Plan, Leisure Strategy, asset management and the Car Parking Strategy. Schemes will require the grant of planning permission and the Council will expect the private sector to undertake full public engagement. As indicated above, those schemes which involve the Council as landowner will require specific agreements to be put in place.
27. As projects progress, there will be key issues for Members to consider, especially around financial considerations, agreements with developers, temporary arrangements necessary to support the community and traders during the construction phase of a scheme and to ensure required community infrastructure is delivered.

#### **Financial Implications**

28. This annual report contains no financial implications.

#### **Equalities Implications**

29. The various schemes mentioned in this annual report will be subject to equalities impact assessments where this is appropriate. The purpose of the assessment is to identify the potential for positive impacts as well as avoiding or mitigating any negative impacts on any protected groups as a result of any of the schemes coming forward.

#### **Risk Management Implications**

30. Cabinet has identified this project as one of the five Strategic Risks for the Council in 2011/12. The Better Mid Sussex Project risk is described in the following terms:-

“Risk1 Town Centre Revitalisation Project does not deliver anticipated improvements”

The aim of the Better Mid Sussex Project is to secure significant improvements in our town centres. The risk in 2011/12 is that the private sector is unable to progress the revitalisation of our town centres in accordance with our requirements, adopted policies and strategies. The result could be the loss of trade to competing centres which would have an adverse impact on the local economy and well-being of our towns. The work of this Group, the input and support from the Town Council and the response from the private sector in a difficult economic climate has been encouraging. In 2011, the project continued to make progress and the foundations have been laid to enable schemes to come forward in 2012.

Specific implications from individual schemes within the project will be considered in the reports relevant to those schemes.

### **Background Papers**

None.

## 7. WORK PROGRAMME

Date of Meeting	Item	Purpose
2 <sup>nd</sup> June 2011	<p>Role of the Group and Review of projects and the current strategy</p> <p>To consider work programme</p> <p>Victoria Park, Haywards Heath</p>	<p>To provide an update for members on the work streams within the project and explain the strategy</p> <p>To agree the proposed work programme</p> <p>To consider the Stage 1 evaluation documentation and an addition to the design brief.</p>
30 <sup>th</sup> June 2011	<p>Victoria Park, Haywards Heath</p> <p>Haywards Heath Town Centre</p>	<p>The evaluation and criteria documentation for the 2<sup>nd</sup> stage detailed submissions</p> <p>To consider how to promote inward investment</p>
28 <sup>th</sup> July 2011	<p>Solum Regeneration – Haywards Heath Railway Station</p> <p>Queens Walk, East Grinstead</p> <p>Burgess Hill Town Centre</p>	<p>To provide Members with an update following the presentation given to Members by Solum Regeneration on 3<sup>rd</sup> February 2011</p> <p>To review the project and make recommendations to Cabinet (to be confirmed)</p> <p>To review the project and make recommendations to Cabinet.</p>

Meeting Date	Item	Purpose
22 <sup>nd</sup> September 2011	Environmental Enhancements, Haywards Heath Town Centre	To update members on the progress of the project
	Victoria Park, Haywards Heath	To receive the tender shortlist for consideration
	Queen Elizabeth Avenue, Burgess Hill	To report back to members on the progress of the project
	Public toilet provision, Kings Street, East Grinstead	To receive an update on the progress of this project.
20th October 2011	Queens Walk, East Grinstead	To receive a presentation from Frontier Estates regarding the redevelopment of part of Queens Walk.
	Haywards Heath Promotional Pack	To receive details of the Pack following agreement to produce it at the meeting held on 28 <sup>th</sup> July 2011
17th November 2011	The Orchards Shopping Centre Haywards Heath	To receive a presentation from the Head Lease holder.
	Haywards Heath Promotional Pack	To give further consideration to the Pack in the light of the comments made at the meeting held on 20 <sup>th</sup> October 2011.
	Sadlers Yard, East Grinstead	To receive an update concerning the site.
15 <sup>th</sup> December 2011	Victoria Park, Haywards Heath	To consider alternative procurement proposals.
12 <sup>th</sup> January 2012	Better Mid Sussex Annual Report	To present to Members the Annual report for consideration.
	Burgess Hill Town Centre	To receive an update from New River.
	Victoria Park, Haywards Heath	To consider tender evaluation and make recommendations to Cabinet

9 <sup>th</sup> February 2012	cancelled	
8 <sup>th</sup> March 2012	Sadlers Yard	To receive an update concerning the site.
	Queen Elizabeth Avenue	To receive an update concerning the project.
5 <sup>th</sup> April 2012		
24 <sup>th</sup> May 2012		