

**Minutes of a meeting of Council
held on Wednesday, 25th September, 2019
from 7.00 pm - 9.29 pm**

Present: C Trumble (Chairman)
M Belsey (Vice-Chair)

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

Absent: Councillors A Boutrup, H Brunsdon, L Gibbs and A Peacock

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.

None.

3. TO CONFIRM MINUTES OF THE MEETING OF COUNCIL HELD ON 24 JULY 2019.

The minutes of the meeting of Council held on 24 July 2019 were agreed as a correct record of the meeting.

A concern raised by a Member regarding statements made at that meeting will be addressed separately by the Cabinet Member.

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

In relation to item 13, Councillor Eggleston declared a personal interest as Chair and Trustee of Burgess Hill Fair Trade. Councillor Cartwright also declared a personal interest as Treasurer and Trustee of the same organisation.

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

None.

6. CHAIRMAN'S ANNOUNCEMENTS.

The Chairman noted that the Mid Sussex Applauds Awards will be taking place on 13 October 2019. He also encouraged all Members to support his Charity fund raising taking a collection box after the meeting, and agreeing to place it within their ward.

7. SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT - DRAFT PLAN FOR CONSULTATION.

Councillor Walker introduced the report as Chairman of the Scrutiny Committee for Housing, Planning and Economic Growth. He highlighted the importance of the document in increasing the Council's 5 year housing land supply and providing protection against unwanted development in the District. He also provided context, confirming that the document was developed at the request of the Planning Inspector following the examination of the District Plan. A politically and geographically balanced constitutional Working Group was set up to monitor the work, meeting 16 times in total and providing regular updates to the Scrutiny Committee for Housing, Planning and Economic Growth. The report was seconded by Councillor MacNaughton.

A number of Members raised concerns regarding particular sites contained in the report, particularly SA12 and SA13, due to traffic impacts. Clarification was sought on what traffic assessment had been carried out. Concern was also raised around site SA24 due to potential involvement of the Secretary of State in active planning appeals. The Cabinet Member confirmed that the Council had commissioned transport consultants to carry out transport assessments in the development of this document. These had included sites SA12 and SA13 and are considered to be the most up-to-date and sound assessments on which to base a decision to include the sites. Regarding SA24, he confirmed that decisions on appeals were beyond the control of this Council and that developers could address issues raised through new applications.

Members of the Working Group commended the Officers on the amount of diligent and factual work that has gone into preparing the document for consultation, and urged the Council to support the recommendations. It was noted that this was not the end of the process, as there would be two public consultations, followed by an examination in public by a Planning Inspector.

Some Members expressed concern regarding the decisions made by the Working Group at the most recent meeting held in August, noting that this meeting was held after the May 2019 election and did not seek to replace Members of the Group who

were not re-elected. It was felt that this adversely affected the geographical and political balance of the group in the final stage of decision making. Discussion also concerned the number of sites being put forward.

The Cabinet Member confirmed that advice was sought from the Council's QC regarding the Working Group. The advice was to proceed with the original Members for consistency. The Working Group was advisory only. A full opportunity for detailed debate had been available at the Scrutiny Committee. He also confirmed that it was on advice from officers and the Scrutiny Committee were recommending option 2 as a prudent approach to ensure that there is a 'buffer' of sufficient sites to maintain the 5 year housing land supply should the Council encounter any issues with challenge or delivery of a particular site. To reduce the numbers would place the Council at risk of being unable to maintain a 5 year housing land supply.

A tabled amendment (published online) was proposed by Councillor Alison Bennett who noted that whilst she was content with the employment sites set out in the DPD she had concerns regarding the openness of the final meeting of the Working Group and the lack of political or geographical balance. She moved to convene a new working group to carry out the final stage of the work. It was seconded by Councillor Hatton, a Member of the Working Group who was unable to attend the final meeting and raised concern that local knowledge was missed, by not including a geographical balance of those in attendance.

Members discussed the amendment. It was noted that to convene another Working Group would have a significant impact on the ability of the Council to deliver the consultation in the time available. It was reiterated that a robust process had been followed. There had been ample opportunity for Members who could not attend the last Working Group meeting to make their comments and to meet with Officers. An opportunity for a full debate, in public, had taken place at the Scrutiny Committee. At that time, the absent Members of the Working Group's views had been put forward and the minutes reflect that they were taken into consideration. The public consultations and subsequent Scrutiny Committee meeting would also allow further scrutiny of these issues prior to an independent public examination.

The Chairman took Members to a vote on the amendment which was taken by a show of hands. 18 Members voted in favour, 30 Members voted against and 2 Members abstained, therefore the amendment was lost.

The Chairman referred Members to the original motion. It was acknowledged that consideration would be given to improving the maps and that a Member's request for an amendment to one map had already been actioned. Discussion covered the merits of the options presented. It also covered the site assessment results contained in the report, and the Housing Delivery figures.

Seconding the original recommendation, Councillor MacNaughton reiterated the importance of progressing the Site Allocations Development Plan Document to public consultation and highlighted the level of scrutiny that had already been carried out in the preparation of the document.

The Chairman took Members to a vote on the recommendations which was taken by a show of hands. 32 Members voted in favour and 16 Members voted against, with 2 Members abstaining. Therefore the recommendations were approved.

RESOLVED

That Council:

- (i) Approved the Mid Sussex District Council Site Allocations Development Plan Document for public consultation (Regulation 18) commencing 9th October to 20th November; and
- (ii) Agreed the publication of the Sustainability Appraisal and Habitats Regulations Assessment for public consultation (Regulation 18) commencing 9th October to 20th November; and
- (iii) Authorised the Divisional Leader for Planning and Economy, in consultation with the Cabinet Member for Planning, to make typographical, minor factual and formatting errors to the Draft Sites DPD, the Sustainability Appraisal and Habitats Regulations Assessment along with the supporting documentation prior to the commencement of the public consultation.

8. EXTENSION OF MEMBERSHIP OF THE GREATER BRIGHTON ECONOMIC BOARD.

The Leader moved the item noting that prior to the May 2019 election, the Greater Brighton Economic Board agreed to invite Arun District Council to be a member, and this decision requires the agreement of all Local Authorities within the Board. He noted that the addition of Arun has benefits as it strengthens the voice of the Board. This was seconded by Councillor Llewellyn-Burke.

The Chairman took Members to the recommendations which were agreed.

RESOLVED

That Council:

- (i) Approved the membership of Arun District Council to the Greater Brighton Economic Board.
- (ii) Agreed other changes to the Greater Brighton Economic Board Heads of Terms to allow a sitting chair to be re-elected, and to require Board meetings to take place in different parts of the City Region.

9. THE MAKING OF SLAUGHAM NEIGHBOURHOOD PLAN.

Councillor MacNaughton moved this item, noting that it is recognising a local need for more housing. This was seconded by Councillor Marsh, as Ward Member.

Members noted the difficulties overcome by Slaugham in the development of their neighbourhood plan and welcomed that it has got to this stage.

The Chairman took Members to the recommendations which were agreed.

RESOLVED

That Council:

- (i) Noted the outcome of the Slaugham Referendum; and

- (ii) Agreed to formally 'make' the Slaugham Neighbourhood Plan part of the Development Plan for Slaugham Parish.

10. RECOMMENDATIONS FROM THE CABINET MEETING HELD ON 16 SEPTEMBER 2019.

The Deputy Leader moved the item, reminding Members that much of the underspend was surplus income generated from property investment. She provided background to item 3 of the recommendation as £457,000 will be allocated into £100,000 for tree works (to add to the £59,000 the Council has already put into reserve). An amount of £57,000 is recommended to implement a restructure within the Estates Team and £30,000 to cover additional costs of the Job Evaluation and Voluntary Redundancy reserve to allow the Council to have the correct skills and capabilities required for the ICT strategy. This was seconded by the Leader.

It was confirmed that the funds for trees related to ongoing maintenance but that there was an allocation for planting more trees as a result of those lost due to disease including Ash die-back. It was also confirmed that whilst the Council was already spending £4m to purchase housing to assist with temporary accommodation, a business case would be brought forward to further address the provision for homeless people.

The Chairman took Members to the recommendations which were agreed.

RESOLVED

Council agreed:

- (i) that £280,925 grant income relating to Flexible Homelessness Support Grant be transferred to Specific Reserve as detailed in paragraph 21 of the Cabinet report;
- (ii) that £27,765 grant income relating to Preventing Homelessness Grant be transferred to Specific Reserve as detailed in paragraph 22 of the Cabinet report;
- (iii) that £457,000 of the revenue underspend be transferred to Specific Reserves as detailed in paragraph 23 of the Cabinet report;
- (iv) the variations to the Capital Programme contained in paragraph 33 of the Cabinet report in accordance with the Council's Financial Procedure rule B3.

11. TO RECEIVE THE LEADER'S REPORT.

The Leader began by encouraging better dialogue between political groups noting that both he, and the Cabinet Members are available if any Members wished to have discussion on any item.

He noted that the Service and Financial Planning Guidelines had been presented to Cabinet setting out the context in which the Council needs to work to set the Budget and Corporate Plan for next year. It also highlights the implications of budget changes made by West Sussex County Council and the pressures that this creates.

Regarding the opening of Haywards Heath 6th Form College, he emphasised this Council's role in leading the work to secure the establishment of this important asset for the District. He drew attention to an open event on 24 October 2019 and he encouraged students to take advantage of this event.

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

Report of the Deputy Leader

The Deputy Leader noted that the First Quarter Performance Report was presented to the Scrutiny Committee and Cabinet and the new indicators were well received. In response to a request for an additional performance indicator on overall housing completions, the Cabinet Member confirmed that these figures were published annually and any changes to indicators were the remit of the Scrutiny Committee and this can be brought to their attention.

She also confirmed that the Place and Connectivity Programme in Burgess Hill has now started. It is a £10.9m partnership with West Sussex County Council. The first project is on site at World's End Recreation Ground to widen walkways and put in a new cycle path to connect Manor Road and Junction Road. It is the first project of many taking place over the next 15 years and will take into consideration Member's concerns regarding space and connectivity within the town centre.

Work clearing verges on the A2300, in preparation for the duelling work, has also commenced, from the Hickstead roundabout in an easterly direction. It is being carried out at this time for ecological reasons to avoid bird nesting and hibernation seasons.

Report of the Cabinet Member for Economic Growth

The Cabinet Member confirmed that a consultation with businesses in Haywards Heath has concluded with strong support for the development of a business improvement district. A report on this will be presented at the end of September. Separately he is also strengthening links with the Burgess Hill Business Association.

Regarding performance measures on cashless parking he confirmed that it has been agreed to increase the target from 25% to 37% as figures are consistently around the 35% mark. He commended the work of the previous administration in this project. He also noted that consultants have been appointed to work alongside the Parking Working Group to review the Council's parking strategy.

The Cabinet Member noted that planning is underway for the 'Open for Business' event which will take place in Spring 2020.

Discussion was held on the recent announcement that Thomas Cook has ceased trading, and the implications that may have on economic activity around Gatwick and the wider District. The Cabinet Member is also a Member of the Gatwick Airport Community Group (GATCOM) and will provide an update on any information available.

Report of the Cabinet Member for Customer Services

The Cabinet Member noted that the recent visit by the Institute of Revenues, Rating and Valuation (IRRV) Performance Awards judges was a success and the outcome of the awards will be announced on 9th October.

She confirmed that a consultation is under way on a banded income Council Tax Support Scheme which if a person qualifies on income and circumstances offers a reduction to low income households of working age and negates the danger of some households getting multiple council tax bills as their income changes. The consultation runs until 1 November and the Council is liaising with all stakeholders to ensure understanding of the scheme and to protect any vulnerable residents. Member learning development on Revenues and Benefits will be provided on 21 January 2019.

The Cabinet Member noted that over 145 nominations have been received for the Mid Sussex Applauds event and winners will be announced at the event on 13 October. Over £3000 sponsorship has also been secured.

She thanked Members for their input at the first Mid Sussex Matter panel meeting and also noted that the Web Officer is now in place, working on ways to improve it. She would also like to thank the Officers involved in the social media recycling campaign featuring Mia and her family.

The new digital team is now complete and in temporary offices pending a renovation of their office. Staff have also been recruited to the Estates team.

In conclusion she noted that the Council's Safeguarding policies and procedure will be updated this Autumn and will include West Sussex County Council's single referral process.

Report of the Cabinet Member for Environment and Service Delivery

The Cabinet Member welcomed a recent decision by the Scrutiny Committee to approve further curbside collections of recyclable items. He noted that progress is also being made on exploring the possibility of collecting food waste.

Regarding parks and open spaces, he confirmed that the Green Flag for East Court will be put up soon and the Council is looking to secure a Green Flag for Victoria Park in 2020. St John's Recreation Ground, Victoria Park, Mount Noddy and Finches Field have been identified for investment and planning is underway for this. A playing pitch strategy will be brought to the next Scrutiny Committee for Community, Customer Service and Service Delivery which will look at provision on a ward by ward basis, including rural areas. He confirmed that there is rolling investment programme in all areas as required, not just at the 4 specific sites referred to above. He also confirmed that 9 hectares in the Northern Arc have been allocated for community sports and 44% of the proposed Northern Arc development will be passed to the Council for amenity green space. In response to a Member's question, he confirmed that a specialist consultant will review St John's park and is keen to engage with park users. He will provide a written response to a query on the type of play equipment proposed at the Northern Arc and noted a Members request that provision for power generators be included in park investment.

He confirmed that the new café and soft-play area opened recently at the Dolphin Leisure Centre and has been well received. This is jointly funded by the Council and Places for People Leisure who continually look at ways to improve the facilities they manage. At a recent quarterly meeting about performance, the leisure centres are performing well despite competition.

Report of the Cabinet Member for Community

The Cabinet Member focussed on the Local Land Charges, Planning and Building Control Support Services which provide valuable services to ensure the Council remains both successful and efficient.

The Land Charges team help the public with requests for planning documents, enquiries relating to official land searches, local land charge registrations and liaison with building control inspectors to ensure timely inspections. The Planning and Building Control team deals with Planning and Building Control Applications and Planning Appeals. In August the Business Unit achieved 100% performance against every target.

Report of the Cabinet Member for Housing and Planning

The Cabinet Member confirmed that he will provide a report on the Council's latest position regarding the provision of Temporary Accommodation. He reiterated that a business case will be made for funds to fulfil the remainder of the project.

13. MOTIONS ON NOTICE.

The Chairman drew Members attention to the details of the motion listed in the agenda.

The Motion was proposed by Councillor Eggleston who acknowledged that there was also a tabled amendment proposed by Councillors Ellis and Bradbury. He confirmed acceptance of these amendments and was content for them to become the Motion as amended. He expressed a hope that in the future Mid Sussex may be able to seek Fair Trade status for the District as a whole. This was seconded by Councillor Cartwright.

Discussion was held around the efficacy of Fair Trade in assisting the original crop producers. Some Members highlighted that there are other ethical trade organisations in existence and that some major retailers have ceased associating with Fair Trade in favour of an alternative. Other Members noted that the aims of Fair Trade are laudable.

As proposer and seconder of the amendment to the original motion, Councillor Ellis and Councillor Bradbury spoke in support of Fair Trade but also noted that as 26% of the local economy is rural, local produce should also be promoted. They also clarified they were content for their amendment to become the substantive motion.

The Chairman then took Members to a vote on the Motion as amended which was agreed.

RESOLVED

Mid Sussex District Council notes that:

- 2019 marks 25 years since the FAIRTRADE Mark was launched in the UK.
- Since 1994, consumer demand for Fairtrade has grown thanks to the efforts of grassroots campaigners and pioneering Fair Trade businesses.
- There are now over 600 Fairtrade Communities in the UK and more than 2,000 globally and this includes Burgess Hill, East Grinstead and Lindfield. West Sussex achieved Fairtrade County status in February 2018
- As a result of Fairtrade commitments from mainstream brands and retailers, the UK Fairtrade market is now one of the biggest in the world.
- Global Fairtrade sales last year generated £142 million in Fairtrade Premium. Farmers in 73 countries have invested this money in their communities, increasing business productivity and contributing to the achievement of the global Sustainable Development Goals (SDGs).
- Despite this positive news, exploitation remains rampant in global supply chains. More than 40 million people are trapped in modern slavery, including forced labour, and 152 million young people in child labour. Hundreds of millions more are earning less than a living income or wage.

This council believes that:

- Fairtrade and the wider fairtrade movement has a significant contribution to make towards ending exploitation in global supply chains and achieving the SDGs.
- The recently agreed International Fair Trade Charter should be welcomed, with its vision of transforming trade to work for people and planet.
- The Fairtrade principles of paying a 'premium' that is wholly managed by farmers and workers themselves, and of minimum prices to protect producers from market volatility, are crucial to systemic change.
- Public bodies, including local authorities, should support ethical procurement policies, based on the principles set out in the social value legislation, which would include Fairtrade, and ensure their supply chains, at home and abroad, are free of exploitation, including modern slavery.
- Companies operating through global supply chains should go further and take steps to require the payment of living wages and achievement of living incomes for all.

This council resolves to:

- Support the decisions of Burgess Hill, East Grinstead and Lindfield to achieve Fair Trade Community status, and notes that it is a matter for each community to decide whether to seek such status.
- Continue to use social value principles in its procurement decisions, having regard to economic, social and environmental wellbeing in connection with any contracts.

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

The following question was put by Councillor Paul Brown:

There have been several incidents involving deposition of waste building materials associated with construction, demolition and home improvements, on rural lanes within and adjacent to High Weald Ward. Such quiet lanes are vulnerable to large scale fly tipping. Most recently, at the beginning of this month a large amount of waste materials, was dumped, not just in a single heap, but deliberately distributed along a public highway, Station Approach, in Horsted Keynes Parish.

Will the relevant cabinet member advise the scale of this problem across Mid Sussex, the number of such incidents recorded in the last 12 months, and the estimated total costs to Mid Sussex District Council of clearing up fly tipping incidents on an annual basis?

The following response was provided by Councillor John Belsey, Cabinet Member for Environment and Service Delivery:

We share your concern about fly tipping. The Council has a performance indicator which measures the time taken to respond to fly tips in which the Council aims to respond to within 24 hours of a fly tip being reported. Historically the Council has consistently met this requirement.

Between September 2018 and August 2019 there were 257 fly tips reported and cleared in Mid Sussex. It is important to note, that whilst this number might seem high, Mid Sussex does not have a fly tipping problem when compared to many other areas.

For example, in 2017/18 Tandridge recorded 1008 fly tips, Arun 837, Horsham 792 and Chichester 970 and in that same period Mid Sussex recorded 198.

The clearance of fly tips from the public highway is part of the Council's contractual arrangement with Serco. Serco are charged a single contract sum for street cleansing services which includes litter bin emptying, sweeping and fly tip clearance. The sum paid for 2018/19 for all street cleansing services was £1.1 million.

Councillor Brown acknowledged the response and asked that the matter be kept under review. The Cabinet Member confirmed that this will be kept under review.

The meeting finished at 9.29 pm

Chairman