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Wednesday 17 June 2020

To: **MEMBERS OF BURGESS HILL TOWN COUNCIL**

An **EXTRAORDINARY MEETING** of the Council will be held ONLINE on **MONDAY 22 JUNE 2020 at 19.00 hours**, when your attendance is required.

Cllr Roger Cartwright  
Mayor

**\*\*PLEASE NOTE THE START TIME OF THE MEETING\*\***

FILMING, RECORDING OF COUNCIL MEETINGS AND USE OF SOCIAL MEDIA

**Following government advice on social distancing, essential Council Meetings will be held virtually during the Covid-19 period. All papers will be published on our website as usual. Members of the public can attend the meeting by using the Zoom link that will be placed on the town council's website and social media shortly before the meeting takes place.**

The use of social media is permitted but members of the public are requested to switch their mobile devices to silent for the duration of the meeting.

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## AGENDA

1. [OPEN FORUM](#)

Members of the public are invited to put questions or to draw relevant matters to the Council's attention. Each member of the public is allowed to speak once only in respect of a business item on the agenda (during the Open Forum) and shall not speak for more than three minutes at the discretion of the Chairman.

If it appears that the number of speakers is likely to unreasonably delay the disposal of business items on the agenda the Chairman may direct that a member of the public submits a question or comment in writing which shall be answered in due course.

2. [APOLOGIES FOR ABSENCE](#)

3. [DECLARATIONS OF INTEREST](#)

In respect of any matter on the agenda.

4. [CHAIRMAN'S ANNOUNCEMENTS](#)

5. [COUNCIL MINUTES](#)

To consider the Minutes of the Meeting of Council held on Thursday 16 April 2020 (copy herewith).

6. [PLANNING COMMITTEE MINUTES](#)

To consider the Minutes of the meetings of the Planning Committee held Monday 27 April 2020, Monday 18 May 2020 and Monday 8 June 2020 (minutes previously circulated)

We have considered 47 applications for planning permission under the Town and Country Planning Act 1990. Our decisions and recommendations within our terms of reference are set out in the Minutes.

Janice Henwood  
Chairman

7. [CUSTOMER SERVICES KEY AREA GROUP: NOTES OF MEETING](#)

To consider the Notes of the meeting of the Customer Services KAG held on 28 April 2020 (copy previously circulated).

Our decisions and recommendations within our terms of reference are set out in the Notes.

Robert Duggan  
Chairman

8. [STRATEGIC DEVELOPMENT KEY AREA GROUP: NOTES OF MEETING](#)

To consider the Notes of the meeting of the Strategic Development KAG held on Wednesday 29 April 2020 (copy previously circulated).

Our decisions and recommendations within our terms of reference are

set out in the Notes.

Roger Cartwright  
Chairman

Various working parties were set up at the meeting of the Strategic Key Area Group. The following items are reports and recommendations from these working parties.

9. [NOTES FROM THE COMMUNITY ASSETS WORKING PARTY](#)

The working party held one meeting on 13 May 2020, the notes of which are attached as Appendix 1. Following a later meeting with the Theatre Club the group agreed to withdraw the application for the Little Theatre.

**RECOMMENDED:**

1. That the notes of the Community Assets Working Party held on 13 May 2020 be Noted and Agreed.
2. That it be Noted that applications for Asset of Community Value status have been submitted for the following buildings:  
Orion Theatre  
Burnside  
New Library  
Little Theatre, Church Walk (withdrawn)  
St Johns Cricket Pavilion

10. [NOTES FROM OPEN MARKET WORKING PARTY](#)

The working party has met 4 times and has conducted an on-site visit to determine sites for stalls. The notes are attached as Appendices 2, 3, 4 and 5.

**RECOMMENDED:**

1. That the notes of the Open Market Working Group held on 14 May 2020, 21 May 2020, 4 June 2020 and 15 June 2020 be noted and the actions set out approved.
2. That the Burgess Hill Open Market Regulations (Appendix 6), Application Form (Appendix 7) and Business Plan (Appendix 8) be approved including the tariff of £20 for a standard pitch set out therein.
3. That the market be held on the second Saturday of each month from September 2020.

11. [NOTES FROM TRADING SPACES WORKING PARTY](#)

The working party has met twice. The notes are attached as appendices 9 and 10. The notes should be considered in conjunction with item 13 below.

## 12. TRADING SPACES

1. The Trading Spaces Working Party has met on two occasions to explore the concept further (12<sup>th</sup> May and 3<sup>rd</sup> June). Members of the group have been Cllrs Eggleston, Foster, Cartwright, Eves and Henwood. Officers in attendance have been Steve Cridland & Liz Clark.
2. The working Party considered several issues relating to the development of Trading Spaces and a summary of their deliberations and recommendations are set out below.
3. Members are referred to the **Lean Canvas** at the end of this report. Trading Spaces aims to:-
  - (a) Create an environment for small, local, sustainable and community focussed start-ups;
  - (b) Bring empty retail units back into use – either on a long-term basis or as part of the Bridge-the- Gap programme;
  - (c) Drive increases in footfall and support retail activity.
4. Members are also reminded that in the budget the Council has allocated a sum of £40,000 towards the development of Trading Spaces.
5. **Available units:** A physical inspection of empty units in the Martlets Shopping Centre has been carried out. The former William Hill Interiors unit (units 25-29) is available and is in good condition to test the Trading Spaces concept. The former Pulse unit (unit 31) is also available but requires some refurbishment to be made fit for purpose.
6. Other units that have been considered are the former Argos and Iceland stores but these require too much work to be trialled for Trading Spaces. However, it is possible that the Council may be able to facilitate their use by other parties with no financial risk to the Council. A charity has indicated that it would like to take all of the Argos unit as a community workshop centre
7. **Zero waste/sustainable trading:** The ground floor of the William Hill Interiors Unit (“WHIU”) consists of 3,365 sq. ft (312.6 sq. m.) Over the past few months there have been discussions with a start-up business incorporated as a Community Enterprise Company (“CIC”). This business is focussed on the ‘zero-waste, reduce food miles and sustainable living’ market segment. It is principally a food and household goods retailer and would be the anchor tenant (stocking ambient goods packaged using refillable containers, in season locally sourced fruit and vegetables, local bakery products, condiments, beverages etc. Also potential for local egg and dairy products).
8. In discussions with this CIC an understanding has been reached which would mean that around 50% of the space could be

immediately sub-let to this tenant. Other discussions have taken place with a

(i) charity that works to end long-term food poverty with the aim of setting up a 'community cupboard',

(ii) entrepreneurs wanting to retail local craft ales & wines, and to operate a bar on the same basis,

(iii) local charities are also in need of office and meeting space.

9. The units at the 'car park' end of the Martlets Shopping Centre (namely all those in the LIDL, Iceland, Argos and William Hill, and Martlets Heights segment) are earmarked for demolition under the NRR redevelopment scheme (planning permission pending). The timing of any redevelopment is unknown and, indeed, there is still no certainty that it will take place at all. WHIU should be available for a long enough period to test the concept with a view to relocating to other premises if a sustainable proposition is proven. It is not in the first phase of any redevelopment.
10. A two-year tenancy can be obtained with a three-month mutual rolling break option. This would be mirrored in any sub-tenancies.
11. WHIU requires some work for it to be brought to an acceptable standard for use. Currently it has only one toilet which is situated in the small kitchen to the rear of the unit. This space could be reconfigured and refitted to provide a disability access toilet. Two further lavatories could be fitted towards the rear of the unit to meet requirements. It will also be necessary to install air conditioning (which in turn will provide the heat source). It has been agreed that equipment from other units can be cannibalised and re-installed in WHIU.
12. **Transition to permanent tenancy:** The lower end of the Martlets Shopping Centre (towards the Bandstand and into Church Walk) is only scheduled for refurbishment rather than demolition and rebuild. If Trading Spaces is successful, units at this end of The Martlets or in Church Walk may provide the location for a long-term tenancy (subject to agreement on terms). It is always possible that other units, unconnected with The Martlets or NRR may become available as well.
13. **Rent and Business Rates:** There are sound financial reasons why Trading Spaces as a proof of concept exercise should be based in a unit in the Martlets Shopping Centre. The unit can be leased on attractive rental terms.

In addition, and in correspondence with the Business Rates Valuation Agency, the Council is able to considerably reduce the Business Rate risk by sub-dividing WHIU into separate sub-units (e.g. creating three or more distinct units – 25, 27, 29, 29A etc. ). The current rateable value of WHIU is £44,635.00 (attracting a

business rate tax of £21,916 under the small business regime as a whole). Unit 31 is not shown in the Valuation Agency (possibly because it has been mothballed).

However, under the Covid19 business rates scheme no business rates are payable on rateable values of £51,000 or less. This scheme is due to expire at the end of March 2021. It does, however, mean that there is no business rates liability on WHIU in the current fiscal year on the whole unit.

Where the rateable value is £12,000 or less no business rates are payable and there are reliefs for small businesses from £12,000 to £15,000. Charities automatically qualify for 80% relief with a further 20% discretionary relief available. The subdivision of WHIU has the potential of taking one or more units out of the business rates regime and reducing it/sharing it amongst a number of sub tenants if the rateable value on each is above £12,000.

14. **Sub tenant liability:** Any tenants taking space in a WHIU sub-unit would be liable for their own business rates, would bear their share of the cost of utilities and would pay a 'social rent' to the Council. Tenants would fund their own fit-out costs. Tenants are responsible for their own trading future with the Council providing no guarantee against trading risk.
15. The Council, or its contractors, may carry out the work on the creation of the sub-units and any restoration of services (e.g. renewed lighting) but this cost would be recovered pro-rata from the tenants. Internal alterations should not require planning permission but will need to comply with building regulations (where appropriate).
16. **Governance:** In terms of governance, Trading Spaces will be managed through the **Burgess Hill Community Partnership CIC**. This is currently a dormant enterprise. Its registered directors are CEO, Steve Cridland and Cllr Andrew Barrett-Miles. However, Cllrs Kathy Willis, Robert Duggan, Simon Hicks, Roger Cartwright, Anne Eves, Janice Henwood, Robert Eggleston and Peter Chapman were appointed at the Annual Council meeting in May 2019. Their registrations at Companies House were not made as, at the time, it had no prospect of trading. These appointees need to confirm whether they want their appointments to be registered or wish to resign.
17. A management committee comprising nominated directors of the Burgess Hill Community Partnership CIC, officers and sub-tenants would be established to meet and monitor performance of Trading Spaces and identify further opportunities for support and development. A management rhythm will be established. Initially the management committee would meet monthly before moving to a quarterly meeting cycle.

18. Target launch date September 2020.

### Summary

- (A) In its proof of concept phase the Trading Spaces project has low financial risk. Tenancies are available at commercially attractive rents and the business rates tax risk is considerably mitigated. The council takes no trading risk.
- (B) Expenditure will be incurred on improvements to the units some of which will be shared or will be recoverable from the sub tenants
- (C) An anchor tenant has already been identified capable of taking up to 50% of the space in the identified unit. Other prospects are being actively progressed to fill the remaining space. Sub tenants will pay a social rent and their share of services.
- (D) Brings empty retail space back into use and encourages footfall.
- (E) Supports independent entrepreneurs who take all trading risk.
- (F) Ability to transition to a long-term tenancy if concept is shown to work but there is not short- term tie in.
- (G) Initial concept is in a market that is currently not well served in Burgess Hill or Mid Sussex – i.e. sustainable, zero waste products and shorter food miles.

Lean Canvas		Trading Spaces		03/06/2020
				Iteration #1
<b>Problem</b> Top 3 problems <ul style="list-style-type: none"> <li>- Difficulty to start a small retail/b2c business</li> <li>- Current Retail Offering</li> <li>- Gap in market to create a sustainable, low impact locally based retail offering</li> <li>- Neglected retail spaces</li> </ul>	<b>Solution</b> Top 3 features <ul style="list-style-type: none"> <li>- Easy to rent/run spaces for small businesses</li> <li>- Wider variety of interesting and unique traders</li> <li>- Community Offering</li> </ul> <b>Key Metrics</b> Key activities you measure <ul style="list-style-type: none"> <li>- Footfall</li> <li>- Trading Data</li> <li>- Customer Sat Surveys</li> </ul>	<b>Unique Value Proposition</b> Single, clear, compelling message that states why you are different and worth paying attention <ul style="list-style-type: none"> <li>- Create an environment where <b>small, local, sustainable and community focused</b> startups can be successfully incubated, while contributing to and improving the local retail landscape</li> </ul>	<b>Unfair Advantage</b> Can't be easily copied or bought <ul style="list-style-type: none"> <li>- Low financial risk</li> <li>- Council Scale &amp; Local Position for marketing etc</li> </ul> <b>Channels</b> Path to customers <ul style="list-style-type: none"> <li>- Physical Retail</li> </ul>	<b>Customer Segments</b> Target customers <ul style="list-style-type: none"> <li>- Families</li> <li>- Local people wishing to start businesses</li> </ul>
<b>Cost Structure</b> <ul style="list-style-type: none"> <li>• Maintenance of buildings &amp; administration</li> <li>• Building Rent (Future Cost)</li> </ul>		<b>Revenue Streams</b> <ul style="list-style-type: none"> <li>Tenant rental?</li> <li>Possible Revenue Share model?</li> </ul>		
PRODUCT		MARKET		

## **Recommendations**

The Council resolves to:-

- (1) Implement the Trading Spaces project by initially taking a lease, via Burgess Hill Community Partnership CIC on Units 25 – 29 The Martlets on a two-year tenancy with a three-month mutual break clause from New River REIT subject to satisfaction with the financial terms and the other terms and conditions of the lease;
- (2) Establish the first Trading Spaces unit with a clear model based on zero-waste and sustainability;
- (3) Prepare and enter into leases with sub-tenants on financial terms to be agreed with them (noting that the period of the tenancy and break will be not be more favourable than the tenancy signed by Burgess Hill Community Partnership Plc with New River REIT;
- (4) Zone and divide the sub-units for 25-29 The Martlets for potential tenants and implement necessary work for this purpose;
- (5) Confirm and register the appointments of the directors of Burgess Hill Community Partnership CIC for those Councillors and Officers willing to continue to serve;
- (6) Prepare an operational and financial risk assessment for Trading Spaces (including confirming that appropriate insurances are in place)
- (7) Prepare a schedule of works in compliance with current building regulations
- (8) Continue to work with other interested parties in bringing other units in the Martlets Shopping Centre back into use;
- (9) Aim for the first Trading Spaces unit to open in September 2020.

### 13. [PLACE AND CONNECTIVITY PROGRAMME](#)

MSDC has opened the above programme for public consultation. Two sessions were held with councillors and the notes are attached as appendices 11 and 12.

#### **RECOMMENDED:**

That the recommendations set out in appendices 11 and 12 be sent to MSDC as the comments from the Council on the proposed Place and Connectivity programme.

### 14. [COMMUNITY ENGAGEMENT KEY AREA GROUP: NOTES OF MEETING](#)

To consider the Notes of the meeting of the Customer Services KAG held on Monday 15 June 2020 (copy previously circulated).

Our decisions and recommendations within our terms of reference are set out in the Notes.

Kathleen Willis  
Chairman

### 15. [MOTION TO COUNCIL: AIR POLLUTION](#)

Submitted by Cllr Anne Eves. Seconded by Cllr Sylvia Neumann

BHTC requests to see the past year's monthly air pollution figures from the town's sensors, when these become available to MSDC.

This Council notes that the two air pollution monitoring stations in town are both in Leylands Ward on the north side of town (London Rd & Leylands Rd). The Council supports the addition of a third monitoring station, further south, and suggests to MSDC that the bed showroom, BigBrandBeds, at Hoadley's Corner would be an appropriate place, subject to their agreement.

For consideration

16. [COVID-19 BENCH](#)

A member of public suggested that a bench should be designed and installed to commemorate Covid-19 and the effects it has had on the community. A member of staff has designed three benches which are attached as Appendix 13. Councillors are asked to select a design to be installed in St Johns Park. MSDC has granted permission for the installation of the bench. The cost of the bench including installation will be approximately £2500.

It is further suggested that a plaque suitably inscribed be placed on the bench. The following wording is suggested though other suggestions are welcomed:

This Bench commemorates the magnificent response by the entire Burgess Hill Community and in particular its key workers, charities and volunteers to counter the effects of the 2020 Covid-19 pandemic while remembering with deep sadness those who lost their lives.

**RECOMMENDED:**

1. That a commemorative bench be purchased and installed from David Ogilvie at a cost of approximately £2500 to recognise/commemorate the effects upon the Burgess Hill Community as a result of Covid-19.
2. That the following wording be approved:

This Bench recognises the magnificent response by the entire Burgess Hill Community and in particular its key workers, charities and volunteers to counter the effects of the 2020 Covid-19 pandemic while remembering with deep sadness those who succumbed.

17. [COMMITTEE RESIGNATIONS AND APPOINTMENTS](#)

Cllr Joseph Foster has resigned from the Community Engagement KAG and Cllr Simon Hicks has resigned from the Customer Services KAG. Cllr Foster has been appointed to the Customer Services KAG

and Cllr Hicks has been appointed to the Community Engagement KAG.

**For Noting**