



MINUTES of the **ORDINARY MEETING** of the **TOWN COUNCIL** held virtually on **Monday 8 March 2020**

Present: Roger Cartwright Town Mayor
Anne Eves Deputy Town Mayor

Graham Allen
Andrew Barrett-Miles
Emma Coe-Gunnell White
Matthew Cornish
Peter Chapman
Robert Duggan
Robert Eggleston
Lee Gibbs
Janice Henwood
Simon Hicks
Tofojjul Hussain
Joseph Foster
Sarah Lawrence
Sylvia Neumann
Max Nielsen
Kathleen Willis

* *Denotes non-attendance.*

(19.00)

Councillor Anne Eves chaired this meeting as Councillor Roger Cartwright had technical issues.

197. [OPEN FORUM](#)

A member of the public raised an issue with speeding drivers in the London Road area which was causing noise issues. She stated that this had been an issue for over a year and was frequently disturbed by the noise. She noted that there was a PSPO in place, and there were over 140 reports of the issue. She had reported the antisocial behaviour to MSDC, and had been told that they would need to report it to the police each time it happened. This was difficult as it was late at night, most nights, and the reporting system required

the vehicle registration plate. She asked why it came down to individuals to report this? Was anything being done about this; were any traffic calming measures being considered?

The member of the public was thanked for bringing this to the attention of the Council. It was responded that yes, as a PSPO was in place, the first point of call was the police. The PSPO gave the police power to act on it if they caught the offender. The Town Council would raise this directly with the Crime Prevention Officer to see if patrols in the area could be increased. The Place and Connectivity Project was currently running which may provide some minor relief to the problem, but no traffic calming measures were planned.

The member of the public asked whether a patrol car could sit on the road, to take the responsibility away from individual members of the public?

It was answered that the Town Council would discuss the issue with the police requesting them to report and monitor.

It was commented that it was very important to report the incidents to the police, and this could be done online through Operation Crackdown. The more reports, the more likely actions would be taking. Traffic calming measures were unlikely as it was a major route.

Councillor Joseph Foster responded that he was the ward Councillor for the area, and appreciated that it was very disruptive. He explained that it was very important to report to the police, as on any one shift they would have a couple of response vehicles for a large area, so it was unlikely that they would be able to have a vehicle sit on London Road. If there was a free response vehicle that could attend the site, they would be able to do this if they received a report. The more times it was reported, the more likely they were to be able to respond. The resident was asked to email Councillor Foster to discuss.

A second member of the public raised the issue of the traffic at the McDonalds roundabout – he was a frequent visitor to the town and had been stuck in traffic there twice over the last week. He was concerned over what would happen if an emergency vehicle needed to negotiate the roundabout. Could a policy be formally adopted on this issue?

It was answered that this would be discussed under Item 8 of the Agenda.

A representative of SOFLAG addressed the Council on Item 9, regarding representation for the Site Allocation DPD hearings, specifically sites SA12 and SA13. The inspector's hearings were coming up shortly. They stated that this was a town wide issue, and they were hoping to protect the town from coalescence and traffic issues. Development of these sites would cause increased traffic flow and have a negative impact on Burgess Hill and the surrounding villages. It would move the boundary of Burgess Hill south, towards Hassocks. It would not be possible for SOFLAG to succeed at the

hearings as an amateur group; they needed professional representation. Nick Grace, a chartered planning consultant, was present at the meeting. Representation would cost money, this was an investment for the town, and would produce a body of evidence to use now and in the future. They knew that the continued pressure to develop the town was an issue that ranked highly among the local community. SOFLAG had been fundraising, but were asking for support.

Nick Grace then spoke on this item. He was a chartered town planner, with over 25 years of experience. He explained that this was a critical stage in the planning process. It had passed regulation 19, where the local authority (LA) had submitted their preferred sites to the Planning Inspectorate. There were two sites SOFLAG were seeking to object to, and he explained the process of objecting before the plan was adopted. The Planning Inspector would soon issue Matters, Issues and Questions (MIQs). At that point they would identify key matters they wanted evidence on; this would be provided through hearing statements. These would seek to answer the questions of the Planning Inspector, and raise key issues to persuade the Inspector to de-allocate the sites. Due diligence would need to be done to establish why the sites were not suitable in themselves, and to consider them in the context of all of the other sites submitted. Once a hearing statement was produced, this would be submitted to the Inspector, and then there would be hearing sessions with the Inspector. Nick Grace would address the inspector to present the expert witness case, and/or work with a barrister, who would present the legal case. It was a lengthy process.

198. [APOLOGIES FOR ABSENCE](#)

There were none.

199. [DECLARATIONS OF INTEREST](#)

Councillor Andrew Barrett-Miles declared an interest in Item 12 as he was a West Sussex County Councillor.

200. [CHAIRMAN'S ANNOUNCEMENTS](#)

There were none.

201. [COUNCIL MINUTES](#)

The Minutes of the of the Meeting of Council held on Monday 25 January 2021 and the Extraordinary Meeting of the Council held on Tuesday 2 February 2021 were **AGREED** and signed as a correct record.

202. [SITE ALLOCATIONS REPRESENTATION](#)

This item was moved forwards in the Agenda.

The Town Council was in discussion with the South of Folders Lane Action Group to consider a strategy to oppose the inclusion of sites SA12 and SA13 in the Mid Sussex District Plan Development Plan Documents (DPD). The Town Council were additionally considering representation opposing the inclusion of SA15 in the DPD. Details were set out in Agenda Item 9, dated 8 March 2021.

The Council was asked to consider whether to support and join SOFLAG at the Planning Enquiry and contribute to the cost of the professional representation. Should the Council decide to contribute to the cost this would be considered in the Confidential Section of this meeting.

An update was provided that the Site Allocation DPD was now with the Planning Inspector, Mike Fox. 6 weeks' notice would need to be given of the hearings.

It was reiterated that the item in the open session was to consider the principle of contributing towards the cost, and the details were

- The Town Council had historically always opposed development south of Folders Lane, although this had not always been successful in the past. The Town Council had unsuccessfully opposed inclusion of SA12 and SA13 in the allocation.
- Development on the proposed sites, SA12 and SA13, would accelerate coalescence with Hassocks and Keymer, would have a significant traffic impact on the town, including the town centre, and would encroach on the South Downs National Park.
- Having this representation was not a guarantee that it would be successful, however it increased the chances of winning.
- It was unusual to spend public money on a particular area of the town.
- The argument was that removing these sites from the allocation would be of benefit to the whole town.
- When the Townwide Strategy and Neighbourhood Plan had been produced, development South of Folders Lane had not been included, in part because it would be impossible to move traffic from the area without building a cost prohibitive southern bypass. Not defending our own planning documents would be wrong.
- The Planning Committee had put forward many objections to the sites, including 9 different MSDC Planning Policies that they contravened. The impact on biodiversity and a historic field system had been included in these objections, however it was suggested that this would have little impact on the case at this stage. It was requested that this impact not be totally left out.
- Building a case against the allocation of the sites would be a balance of all factors, telling the story of why it was wrong to include these sites, and why other sites would be better suited.

- Originally there was not supposed to be any further significant development in Burgess Hill until the Northern Arc was done, this had been disregarded.
- If public money was to be used in this area of the town, it should also be used to object to SA15.

Questions were posed to Nick Grace as follows:

- *SOFLAG had made many objections in their comprehensive submission – which was most likely to succeed?* It was answered that it would have to be identified to the Planning Inspector that these specific allocations were unsound, and that the LA had picked the wrong sites. It was not questioning the overall level of housing, but that the assessment process of the LA had been unsound. This meant a critical analysis of the Sustainability Appraisal, a key document that would require a lot of time and effort to go through. He would have to go through all of the sites, and identify why they were better or worse than SA12 and SA13. He couldn't give an answer to the best line of attack, as this due diligence had not yet been undertaken. SOFLAG had done a lot of good work in terms of highways, however so far this had not been sufficient for the LA not to propose the sites. The focus would probably be on a broader range of issues including the landscape impact and coalescence impact of these sites compared to others suggested.
- *Was there precedence of another legal opposition to a Site Allocation or similar where a Council had committed public funds and the objectors had won?* It was answered yes – the barrister initially contacted by SOFLAG, who Nick Grace would be working with, was well known in objecting to sites on behalf of residents groups and parish council. Two years ago they had worked together successfully on behalf of a residents group in Rugby, objecting to a greenfield site, which was removed from a development plan. Nothing was guaranteed when it came to the planning system, but this was the one opportunity where he had been successful before, and when the LA had to face the music in terms of objectors and the Planning Inspector. The process now was that, following hearing statements and sessions, if the Planning Inspector had concerns, they would raise them with the LA and recommend the LA make modifications to the plan. This was now the only way in which the sites would not become allocated.

Councillor Robert Eggleston moved that in principle the Town Council agree to fund part of the cost of representation for SA12 and SA13, and consider what contribution the Town Council may make towards SA15. This motion was seconded by Councillor Andrew Barrett-Miles.

The motion was voted on and agreed.

Councillor Emma Coe-Gunnel White had left the meeting during this item and did not participate in the vote.

RESOLVED that:

In principle the Town Council agreed to fund part of the cost of representation for SA12 and SA13, and consider what contribution the Town Council may make towards SA15.

203. PLANNING COMMITTEE MINUTES

Councillor Janice Henwood, Chair of the Planning Committee, presented the minutes.

Councillor Anne Eves raised that Councillor Kathleen Willis had stepped down from the Planning Committee, and so a replacement would need to be appointed. Councillor Matthew Cornish had volunteered. It was AGREED that Councillor Matthew Cornish would replace Councillor Kathleen Willis on the Planning Committee.

The Minutes of the meetings of the Planning Committee held on Monday 1 February and Monday 22 February 2021 were **AGREED**.

204. NOTES OF THE KAG RESTRUCTURING WORKING GROUP

There was a discussion on the notes and suggestions of the working group, during which the following points were raised:

- The situation could be reviewed in the future in light of any staff changes. The structure of the organisation would need review as staff changed, if the structure of the organisation changed, the structure of the KAGs should be reviewed.
- The process of separate committees disadvantaged Councillors who worked
- Increasing the diversity of Councillors was important, and the quantity of meetings affected who could stand. A lightweight equality statement could be done to look at this
- There were administration costs associated with each meeting, reducing the quantity of meetings would reduce this cost
- Reducing the quantity of meetings would be simpler for the public
- This system had been put in place to cut out unnecessary formal meetings, as it allowed small groups to make recommendations to the Council
- Councillors were not obliged to attend KAG meetings which they were not a member of
- KAGs did not need to meet if they had no business
- The majority of senior officers and Councillors attending the Working Group Meeting had agreed the KAG structure should

- stay as it was
- The grants process could be improved so that the RFO and officers would not need to spend as much time on each application. There was a suggestion of having a rule based process, where each application generated a score, and the majority of applications which reached a certain score were approved, freeing up officer time to look at more complicated applications.

RESOLVED that:

1. KAGS remain unchanged.
2. A Grants Panel be formed to review and agree grant applications rather have them go through Community Engagement KAG
3. Officers review the process for grant reviews in order to streamline the process and produce efficiencies.
4. That the meeting system be reviewed again later in the year.

205. **ROUNABOUT CONGESTION: MCDONALDS**

A meeting of key stakeholders (involving McDonalds, Market Place, and officers from Mid Sussex District Council, West Sussex County Council and Burgess Hill Town Council) on 5th February to consider this issue. It ended without reaching a conclusion on a way forward.

Following that meeting, the Town Council produced a plan which was being considered by traffic engineers and was attached as Appendix 1 to the Agenda, dated 8 March 2021. The financial costs of implementing this plan and who should pay for it had not yet been assessed but it was hoped that it would be included with the response from the traffic engineers.

It was noted that there had been an Officers meeting on 5 February 2021 which had reached a stalemate.

Councillor Robert Eggleston presented the plan. The three parties involved were the Highways authority at WSCC, MSDC as the owner of the car park, and McDonalds as the owner of the restaurant land. The Town Council fielded many complaints about the roundabout, and faced a challenge of where the responsibility lies. MSDC said the responsibility was with McDonalds and they needed to sort out the flow of traffic through the drive through. McDonalds said that they had valid permission for the drive through, and there was nothing else they could do. WSCC said that as it was off of their land then it was not their responsibility. When it was raised with MSDC, they said a proposal would need to be put forward. It was raised at the Place and Connectivity steering group, however no progress was made.

The Town Council and individual Councillors had presented a number of options which had not progressed. This was another option – it was not a complete solution, but would allow traffic to move up the entrance lane and off of the roundabout. Once the idea had been reviewed and costings received, the suggestion was to present it as a formal proposal to MSDC, and then discuss how it would be paid for.

It was asked whether an alternative exit into Station Road could be considered, as this could prevent cars having to wait to exit through the McDonalds drive through queue.

It was answered that this would not be possible as traffic needed to be reduced on this residential road rather than increased.

Sylvia – cyclists coming along station road – is it safe to go round roundabout or will they be directed down Mcdonalds route?

RE – on RCs comments – exit onto residential part of station road will not work – want to reduce traffic in residential road not increase. Look at moving to alternative modes of transport. Problem with current congestion, when on foot or on bike, makes it harder for you. Creating a way of releasing bottleneck will probably give more freedom to cyclists as you won't get trapped.

RESOLVED that:

1. the CEO pursue the enquiry with the traffic engineers and obtain a quote for the costing.
2. Once the quote has been received, the Town Council formally submit the proposal to MSDC for consideration.

206. **LOCAL GOVERNMENT BOUNDARY REVIEW**

Notes on the Local Government Boundary Review were submitted by Councillor Foster, and attached as Appendix 2 on the agenda, dated 8 March 2021.

The size of the Council was currently being discussed, in order to take a decision on whether to cut down the number of MSDC Councillors. MSDC was in favour of reducing to 48 Councillors which was an 11% reduction. Once the number of Councillors was decided, there would be a boundary/ward review. This was only related to MSDC ward boundaries, there would be no submissions for town or county boundaries at this point. It was possible to trigger boundary reviews for these, however it was recommended to wait and do that after this current review had been completed. The Town Council had been given specific instructions for how to respond to this review – they would like to know if there were things that the Town Council liked with the current boundaries, as well as changes. A draft proposal was currently being prepared which would go out for two rounds of consultation, and

then to parliament. This would likely take until early next year. Once the consultation came out the Town Council could look at their response.

The item was Noted

207. **TOWN AND COUNTRY PLANNING ASSOCIATION MEMBERSHIP**

The Planning Committee recently suggested that the Council consider joining the Town and Country Planning Association (TCPA), as set out in Agenda Item 11 dated 8 March 2021.

It was commented that it was difficult to know in advance how useful this membership may be, as it had not yet been to the test. Their comments on the Planning White Paper had been useful, and the Town Council may get good advice on planning from them.

It was commented that the planning process was often difficult and complicated and the Town Council did not have that much of a say. It would be a benefit to have another outlet to seek advice on planning matters.

Councillor Joseph Foster proposed that the Town Council fund membership of the TCPA for a period of one year, after which the CEO or the Chair of Planning review its effectiveness and whether the Town Council should continue its membership. Councillor Peter Chapman seconded this.

RESOLVED that:

The Town Council fund membership of the TCPA for a period of one year, after which the CEO or the Chair of Planning review its effectiveness and recommend whether the Town Council should continue its membership.

208. **WEST SUSSEX COUNTY COUNCIL EARLY HELP REVIEW CONSULTATION**

West Sussex County Council's Early Help service provides support to families facing challenging circumstances and helps ensure every child has a safe environment in which to thrive. Traditionally, this service has been delivered at Children & Family Centres across West Sussex. During the pandemic these centres have been mostly closed and staff has found new ways of reaching out to families who need help.

At the same time, demands on the services have been increasing so West Sussex County Council is carrying out a review to ensure Early Help support can be provided as effectively as possible. Their proposals are set out in Agenda Item 12, dated 8 March 2021.

Councillor Andrew Barrett-Miles declared an interest in this item as he

was a County Councillor.

There was a discussion in which the following points were made:

- The centres in Burgess Hill did not only serve Burgess Hill, but also the surrounding villages, particularly those to the south. The Burgess Hill centres were easier to travel to than the Haywards Heath centres for these users.
- Support for parents of young children was important to the mental health of the parents and the development of the children.
- The pandemic had had a negative effect on mental health of parents and children. This was the wrong time to be considering closing the centres.
- The centres were a critical lifeline to see someone in person who may recognise that a parent needs help and start an intervention. Phone calls would not catch everyone.
- The proposal was robbing Peter to pay Paul, and would lead to increased costs later on.
- It was unclear how WSCC were proposing someone on a limited income to travel to the centre of Haywards Heath – vehicle usage and public transport cost money. This was also the case for young people accessing services, for example Find It Out 0 –it would be difficult for them to travel.
- These centres provided many forms of support – this was a time for more money to be put into these services, not less.
- The proposal suggested young people access support online – there was a lot of incorrect information online, and young people should be able to feel comfortable talking to professionals in person. Physical meetings had specific benefits.
- Burgess Hill was being disadvantaged by this proposal.

Clarification was sought on the recommendations – what would the working group achieve, and would they inform the response from the Council?

It was answered that the working group would discuss what the Town Council was specifically saying in detail. This would then be presented and agreed through Council. It was worth formalising a response through a working group. The Councillors could go away and do some research before a working group meeting – it may take some time to build a solid response. It was noted that Judy Pointing, the Community Development Manager was compiling information on the provisions for young people in the town, which would be valuable in supporting arguments.

Volunteers were sought for the working group and the following members were agreed:

Peter Chapman

Joseph Foster
Sylvia Neumann
Kathleen Willis

RESOLVED that:

1. A Working Group be established to consider and respond to the proposals set out in the review.
2. Formally write to West Sussex Council expressing this Council's regret and opposition to the closure of the two centres in Burgess Hill.

209. **DIARY DATES**

Council received a schedule of forthcoming events as set out in Agenda Item 13 dated 8 March 2021.

RESOLVED that:

The contents of the report were noted.

210. **EXCLUSION OF PUBLIC AND PRESS**

In view of the confidential nature of the business about to be transacted, it was proposed that, in the public interest, the public and press be temporarily excluded and they were requested to withdraw from the meeting,

211. **Meeting terminated at 21.20 hours.**