



MINUTES of the **EXTRAORDINARY MEETING** of the **TOWN COUNCIL** held in the Council Chamber on Monday **23 October 2023**

Present: Janice Henwood Town Mayor
Tofojjul Hussain Deputy Town Mayor

Graham Allen
Diane Black
Christine Cherry
Richard Cherry
Stuart Condie
Matthew Cornish*
Cedric de Souza
Robert Eggleston
David Eggleton
Anne Eves
Bob Foster
Matthew Goldsmith
Simon Hicks
Mohammad Hossain*
John Orchard
Brenda Williams
Peter Williams
Adam White

* *Denotes non-attendance.*

(19.00)

65. OPEN FORUM

Six members of the public were present.

The first member of the public spoke on the Burgess Hill Community Partnership CIC. He stated that formal complaints had been made by members of the public regarding the CIC, and that the Monitoring Officer at Mid Sussex District Council (MSDC) had explained that there was no issue with Councillor conduct. He mentioned that a sheet given out at a previous Council meeting had the management of the Trading

Spaces unit as a Town Council responsibility. He questioned whether there was a mismatch of information, questioning that if Town Council money was used at the Trading Spaces unit, why is the CIC not beholden to the Town Council.

Councillor Henwood explained that she, alongside Councillors Hicks and Eggleston were Directors on the CIC, with Steve Cridland as the secretary. She explained that whilst all current members of the board were Councillors, it was a separate entity to the Town Council. She stated that Item 6 on the agenda was to explore additional membership onto the CIC board, and that she hoped membership could be broadened from just Town Councillors.

A second member of the public addressed Council on the matter of staff costs, stating he saw it to be a huge burden on the budget, with nearly three quarters of the Council's money being spent on staffing costs. He questioned why requests had been made for more staff members at previous meetings. He asked how Council justified the budget use.

Councillor Henwood explained that comparisons had been made between Burgess Hill Town Council (BHTC), Haywards Heath Town Council (HHTC) and East Grinstead Town Council (EGTC). She stated that the Councils were not like for like, as BHTC supported other facilities, including the Help Point.

Councillor Richard Cherry stated that BHTC compared similarly to EGTC and that the main difference when comparing to HHTC was the Help Point, which contributed to extra costs. He stated that the Help Point would be the largest amount of extra cost, but that it was an important facility.

It was explained that EGTC produced income with Chequer Mead, but that it was a separate cost, not included within their staff costs. This was because it was a charity and so any staffing would go through the charity accounts. HHTC had lower staff costs as they subcontract and this would not be included in their staffing budget.

Councillor Eggleston added that BHTC staff were paid on nationally set local government rates. He explained that if events, maintenance and the Help Point were to be delivered by BHTC, it was important to have the correct number of team members for this.

66. [APOLOGIES FOR ABSENCE](#)

Apologies for absence were received from Mohammad Hussain and Matthew Cornish.

67. [DECLARATIONS OF INTEREST](#)

Councillors Eggleston, Hicks and Henwood declared an interest in Item 6 as Directors of the Burgess Hill Community Partnership CIC.

68. CHAIRMAN'S ANNOUNCEMENTS

Councillor Henwood spoke about the Christmas Hamper Project, stating that delivery for 2023 would be designated into wards, with the aim that ward members distribute the hampers. She encouraged Councillors to get together with their ward members to discuss delivery of the hampers.

Councillor Henwood explained to the public that Item 7 on the agenda was confidential, and that members of the public would not be permitted to sit in on this section of the meeting. This was due to personal and commercial sensitivities. She assured the public that the section would be minuted and made public in due course.

69. ADDITIONAL MEMBER: BURGESS HILL COMMUNITY PARTNERSHIP CIC

Councillor Henwood stated that, knowing the public anxiety regarding the CIC, she would suggest asking for an additional member from the community.

Councillor Eggleston explained that the CIC had approached Richard Cox from the Burgess Hill Business Parks Association (BHBPA), and that he had agreed to join the board. The CIC had the power to approach people to see if they wished to serve on the board. Previously, the board had consisted of nine members, all of whom were Councillors – now there were three members. Councillor Eggleston said that despite the CIC being a non-political body all members were from the same political party. He stated that a member of another political party would be a good addition, proposing that Councillor Adam White be put forward for the board.

Councillor Peter Williams asked if was possible for the CIC board to consider a member of the local Community.

Councillor Eggleston responded that Richard Cox was a member of the community, and that whilst there was the possibility to appoint a member of the public, a fourth Councillor would be necessary.

Councillor Eves raised concern that Richard Cox would only be in office for a year, questioning his appointment as it would be necessary for him to be in position on the board for four years. Councillor Foster proposed Councillor Eves as a representative for the CIC.

Councillor Hicks supported both proposed members for the CIC. He stated it would be good to have some opposition on the board and welcomed the addition of a member of the public. He stated that there was a short-term lease on the Trading Spaces unit, with a three-month break clause. Due to this, there was uncertainty regarding the future of

the unit.

A member of the public questioned why when members of the public complain regarding the CIC they were told that it is not a Town Council matter, but Town Council members were nominated to the CIC board. He stated that he liked having members of the Council on the board, as they were democratically elected, but that he felt information was not properly given to the Council by the CIC and that he wanted CIC minutes to be available to the public.

Councillor Eggleston responded that when the CIC board met, they were in accordance with company law and kept proper minutes.

RECOMMENDATION: Council nominated Councillors Anne Eves and Adam White to sit on the board of the Burgess Hill CIC.

CONFIDENTIAL ITEM

70. PARK CENTRE

Councillor Peter Williams gave a brief overview of the situation, explaining that BHTC were responding to a request from West Sussex County Council (WSSC) to submit a business plan alongside the CIO, by 31 October.

Following the dissolution of Sussex Clubs for Young People (SCYP), the main partner in the CIO was lost. Councillors Richard Cherry and Peter Williams then approached WSSC to pause the process. There were then some disagreements with the remaining members of the CIO, and when the process began to take too long WSSC gave the ultimatum to which BHTC and the CIO were now working towards. If the CIO did not put a business plan in by 31 October, Park Centre would be withdrawn from asset transfer and put on the market.

It was explained that WSSC did not own the property and were instead the sole trustee for the St John's Institute. The concern was that the property would be sold for development and the money be held in trust.

Due to the change in the CIO, three Town Councillors were needed to be nominated to join the CIO alongside Councillor Richard Cherry. The nominations were: Councillors John Orchard, Cedric de Souza and Matthew Cornish. The nominations would need to be accepted by the members of the CIO.

Councillor Hicks asked what communication there had been with the CIO, and were they creating the business plan?

Councillor de Souza had been working with Chris Cook, a member of the CIO. He explained the presentation of the business plan was by the CIO, supported by BHTC, rather than a joint proposal. He stated that the business plan demonstrated that BHTC were a significant factor in the survival of the CIO for the first three years. The CIO was a young organisation and would require some learning. BHTC needed to

look closely at the risk exposure. The asset transfer would not be until December 2023 at the earliest, and that the building may not be occupied before April 2024. Councillor de Souza explained that WSCC needed to transfer the rights of the St John's Institute to the CIO and that the earliest this would occur would be April 2024. It was important to remember that the CIO did not have money to begin with and would be reliant on BHTC, alongside a possible gift of £30,000 from WSCC. BHTC would be responsible for bringing the building back to a structural safety level. If this was the case, section 106 monies would need to be sourced, with the possibility of tapping into general reserves – for this to occur BHTC would need to be certain of a valid cause or need. The CIO required income from set sources and could not rely on donations to run. Any shortfall in money would expose BHTC, which would need to find the funds. The CIO's opportunities would be limited until April 2025, from this point they could be expected to have created a steady income. Councillor de Souza reiterated that it was important for Council to keep a close eye on the financial situation at Park Centre.

Councillor Williams agreed that caution was necessary as it was thought that an intrusive structural survey would be necessary to look at the roof of the building. This had not yet been allowed by WSCC, but was necessary before the building could be put into use for youth services.

Councillor Eggleston stated that all members of the CIO had a vested interest in preserving the building and that Council should go into the agreement with their eyes open and with determination. He explained that the CIO was a separate entity to BHTC and that BHTC would want to support and subsidise in the short term, acting within the best interests of the charity. He stated this would give BHTC a level of control as, if the trustees did not fulfil their roles, BHTC would be able to remove their support.

He stated he was comfortable with the nominations to the board, as they had relevant experience for the CIO. He explained that there were multiple financial options available when looking at Park Centre, including section 106 monies, loans and the raising of the precept. It was important to focus on what could be done to the building to maximise its use, and that the important thing was to get the asset transferred.

Councillor Goldsmith questioned if a shareholder agreement could be implemented, to ensure more safety for BHTC.

Councillor de Souza stated that the CIO was an independent organisation.

Councillor Eggleston stated a shareholder agreement would not be necessary as the duties of trusteeship were so strict that if they were to enter into an agreement on behalf of the charity, knowing it could not

commit, the trustee could become personally liable. He stated proper training for trustees would be necessary.

Councillor Hicks questioned whether BHTC could influence the CIO with a funding agreement, stating he was unsure about the revenue streams being predicted. He stated he would expect a business plan to be approved before it was submitted.

It was agreed that the business plan be taken to the Finance Key Area Group for approval.

Councillor Eves asked if the other eight CIO members were known, and questioned whether there would be need for a member of staff at Park Centre.

The other CIO members were not yet known, but all would have to go through a vetting process including DBS checks. There was a plan in place for a caretaker, which had been costed.

Councillor Hicks raised concern over just having a caretaker, when there would be necessary maintenance and venue hire administration. He questioned whether this would need more resourcing, and possibly involvement from BHTC.

Councillor Henwood suggested the Finance Key Area Group looked at the situation in more detail.

Councillor Henwood suggested that Councillor Peter Williams to be the lead councillor with regard to structural specifications and price.

Councillor Condie raised concerns that if BHTC was to walk away from the deal the Park Centre building would be lost, echoing previous dealings with Marle Place.

Councillor Richard Cherry stated that any substantial movements of cash would go through the normal procedures and that there would be an aspect of control for BHTC. If there were to be any substantial works, a tender process would be undertaken. All such works would be donated to the CIO in the form of 'gifts-in-kind'.

Councillor Brenda Williams questioned whether the number of members on the CIO would put BHTC in the minority when it came to votes. Councillor de Souza stated that the CIO needed BHTC on the board for the first three years. The CIO was an independent structure, that had a duty of care. It was important to put trust in them and to build upon the partnership.

Councillor White asked what the most amount of money BHTC could be liable for would be – questioning if it was 200 – 250,000 for the structural survey.

Councillor de Souza stated that without the structural survey, BHTC could not know how much money was needed for Park Centre. A reserve had not yet been set, and until a decision was made, they could not know how committed they would be.

Councillor Williams advised that the cost of the survey was likely to be in the region of £2,000.

RECOMMENDATION:

1. Council nominated Councillors John Orchard, Cedric de Souza and Matthew Cornish to join the Park Centre CIO.
2. Council agreed to make Councillor Peter Williams lead councillor regarding structural specifications and price.
3. Council agreed to the conditions set by WSCC to allow the Council in conjunction with Park Centre CIO to take over the Park Centre and to submit the required business plan.

Meeting terminated 19:57