



**HAYWARDS HEATH
TOWN COUNCIL**

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9th February 2021

To all Councillors,

Dear Councillor,

You are hereby summoned to attend an **EXTRAORDINARY MEETING OF HAYWARDS HEATH TOWN COUNCIL** to be held on **Monday 15th February 2021** via Zoom Video Conferencing at **6pm** when the following business will be transacted. Please use the following Zoom link.

<https://us02web.zoom.us/j/82762035420?pwd=SENtdjJBbGxRY3ZhS29sN3lgMzI0dz09>

Yours sincerely

Steve Trice

Town Clerk

A G E N D A

1. Town Council Prayer
2. To note any apologies for absence.
3. Public Forum - *Members of the public are invited to ask questions or raise issues which are relevant and are the concern of this Council. A period of 15 minutes is allocated for this purpose. Notice of intention to address Council should be given to the Clerk by noon of the day of the meeting.*
4. To confirm the Minutes of the Meeting of the Council held on 25th January 2021.
(pages 2-4)
5. To receive Declarations of Interest from Members in respect of any matter on the agenda.
6. To dispose of any business outstanding from the last meeting
7. To consider voting arrangements for the West Sussex Association of Local Councils AGM and confirm delegated voted arrangements. **(pages 5-8)**
8. To consider any urgent items the Mayor has received.
9. To consider exclusion of Public and Press.

This meeting is being held under the provisions made on the 4 April 2020, when the government brought The Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020 into force to allow local authorities to conduct meetings remotely.

*'During this meeting the public are allowed to film the Committee and officers only from the front of the public gallery, providing it does not disrupt the meeting. **Any items in the Exempt Part of the agenda cannot be filmed.** If another member of the public objects to being recorded, the person(s) filming must stop doing so until that member of the public has finished speaking. The use of social media is permitted but all members of the public are requested to switch their mobile devices to silent for the duration of the meeting.'*

Town Mayor Cllr Alastair McPherson

Town Clerk Mr Steven Trice

HAYWARDS HEATH TOWN COUNCIL

MEETING OF HAYWARDS HEATH TOWN COUNCIL

Minutes of the meeting held on 25th January 2021, which was held virtually by Zoom under the provisions of the Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020.

Councillors: Christopher Ash-Edwards
Richard Bates **
Clare Cheney
Rachel Cromie
Sandy Ellis
Christopher Evans (19.52pm)
Howard Muddin
Stephanie Inglesfield
Matthew Jeffers
James Knight
Clive Laband
Jack Langley (20.21pm)
Alastair McPherson
Richard Nicholson
Mike Pulfer
Sujan Wickremaratchi

Apologies Absent***

Also, present: Town Clerk and one resident.

Before the meeting commenced Inspector Taylor and Sergeant Bethan updated on matters relating to local policing and took questions from Members. This conversation can be found on the Town Council's YouTube channel.

The Town Mayor then asked for each Member to confirm that they were present, which is reflected above.

66. Council Prayer

The Town Council prayer, which was read by the Town Mayor Alastair McPherson.

67. Apologies

Richard Bates – Conflicting Meeting.

68. Public Forum

None

69. Minutes

The Minutes of the Council Meeting held on 23rd November 2020 were taken as read, confirmed as a true record and duly signed by the Mayor.

70. Declarations of Interest

None.

71. Dispose of any Business from the Last Meeting of the Council

None.

72. Mayor's Engagements and Announcements.

The Town Mayor made mention of communications he had within the last two weeks with the Town's two Twin Towns and was glad to report that all seemed to be well with them both at the present time, which was good news. The Town Mayor's New Year Webcast was available on social media and the Town Council website. It was also announced that the Mayor's Charity Time 4 Children were hosting an online quiz on the 5th February 2021 7pm - 9pm details were to found the Charity's website. With Time 4 Children in mind, it was noted that The Town Mayor would potentially be running a marathon (over three days) with two colleagues of the Town Council in the spring, Covid restrictions allowing, so he could raise some money as he had not been able to host any events during the last year.

73. To receive and consider the adoption of the Minutes of Council standing committees.

(i) Planning Committee - MINS. 75 - 104

The reception and adoption of the resolutions of the Planning Committees, dated 30th November 2020 **Mins 75 – 82**, 15th December 2020 **Mins 83 – 89**, 21st December 2020 **Mins 90 – 97** and 11th January 2021 - **Mins 90 – 104** were moved, seconded and agreed by Council.

(ii) Environment & General Purposes Committee - MINS. 29 - 37

The reception and adoption of the resolutions of the Environment & General Purposes Committee dated 14th December 2020 **Mins 29 - 37** were moved, seconded and agreed by Council.

(iii) Policy & Finance Committee - MINS. 35 - 47

The reception and adoption of the resolutions of the Policy and Finance Committee dated 18th January 2021 **Mins 35 - 47** were moved, seconded and agreed by Council.

74. Town Council Budget 2021/2022

The Town Clerk presented the 2021/2022 budget as recommended by the Policy and Finance Committee to Full Council. The Town Clerk commended the work of the Responsible Finance Officer and stated that the budget went to meet the aspirations of the Town Council for the development of land at Hurstwood Lane, continuation, Covid allowing, of the Council's events programme and the Council's Environment Polices, whilst budgeting for Covid processes and requirements for the safe operation of Town council services and the Town Hall. It was noted that there would be no rate of living increases for staff nor members during 2021/2022. Finally, it was recommended that £4,000 be allocated to Western Road cemetery as prudent spending in difficult times had seen a forecasted underspend in the current year end forecast. The Leader of the Town Council and Chairman of the Policy Finance both commended the budget, which was a balance below inflation rise and praised the work of the Responsible Finance Officer. As did the Chairman of Planning who felt that the effort was extraordinary in the current climate and thanked those involved. The Town Mayor echoed these comments and thanked both the Clerk and again the Responsible Finance Officer, then,

Member RESOLVED to;

Ratify the recommendations of the Policy and Finance Committee dated 18th January 2021 and,

- (a) approve the 2021 - 2022 budget as presented in Appendix 1, with a 1.6% increase in Council Tax and a 1.8% increase in the precept**

(which includes a tax base rise of 0.2%). This equates to a precept of £681,486. This will represent an average Band D Council Tax of £55.86 p.a.

(b) approve the earmarking of a proportion of the projected 2020/2021 underspend to the Western Road Cemetery at £4,000.

75. West Sussex Association of Local Council 'Value for Money Review'.

The Town Clerk introduced the report and update on the background and potential consequence of the West Sussex Association of Local Council (WSALC) 'Value for Money Review' of Sussex and Surrey Association of Local Councils (SSALC). Whilst doing so the Town Clerk again declared that he undertook ad-hoc work for SSALC in training new clerks in his own time. Members noted that the report dealt with the future membership of the Association and suggested a way forward to deal with an unsatisfactory outcome of the 'Value for Money Review'. It was agreed that leaving WSALC and NALC wasn't something the Town Council ultimately wished to do but the current situation around the review and the actions of WSALC left the Town Council little choice, but to move with the recommendation to serve notice. In taking this course of action it was felt that the Town Council's main concern, as stated before, was around the poor governance of WSALC and lack of transparency, so it should get its own process right. As a result, it was agreed that the final decision should not be delegated to the Town Clerk to make, but returned to a further Council meeting probably in March, or if needed, an extraordinary meeting. This would show it was a Council decision and project, rather than solely of the Town Clerk, who Members had full confidence in, but had openly admitted a personal interest in the matter. This also would make the decisionmaking process clear and transparent. It was noted that the Council's appointed representatives would carry on representing the Town Council on other WSALC matters and at the forthcoming AGM. With this recommendation (a) was carried unanimously and recommendation (b) was struck off resulting in a further Town Council decision to be required on the professional services it receives once all options were known.

Member RESOLVED that;

The Town Council submits its intention to leave West Sussex Association of Local Council and subsequently National Association of Local Councils on three months' notice, but reserves the right to withdraw this if the service offered at the end of the 'value for money review' is deemed to be suitable.

76. Urgent Items
None

Meeting Closed at 8.34pm

Committee Meeting: Ex-Ord Full Council

Report of: Town Clerk

Date: 15th January 2021

Subject: West Sussex Association of Local Councils AGM 2021

Purpose of Report:

1. The purpose of this report is to consider matters relating to the membership of a third-party organisation.

Summary:

2. The following report presents revised and additional motions for the West Sussex Association of Local Councils (WSALC) AGM, which will now be held on the 25th February 2021. These motions differ from those agreed for support by the Town Council at the meeting of Full Council held on 23rd November 2020 along with additional motions loaded onto the agenda within a different legal framework. Furthermore, the report asks explicitly for authorisation/confirmation for the named WSALC representatives to act on behalf of the Town Council on all future WSALC matters and AGM voting, with the exception of the final decision of a professional service provider to be taken up by the Town Council, which has been agreed to be a Full Council decision.

Recommendation(s)

- a) **That the Town Council resolves to support the revised special and additional ordinary resolutions tabled for the West Sussex Association of Local Council's Annual General Meeting on the 25th February 2021 as laid out under point 5 of this report and point 9 of the Annual General Meeting agenda.**
- b) **That the Town Council resolves to vote against the appointment of the named West Sussex Association of Local Council Board Members to representation of the Association on the National Association of Local Council under item 8 of the Annual General Meeting on the 25th February 2021.**
- c) **For the avoidance of doubt that Cllr Pulfer and Cllr Jeffers have full delegated authority to act at the Annual General Meeting and on all matters/decisions/actions relating to West Sussex Association of Local Councils (which in turn the Town Clerk is authorised to act upon and relay to the WSALC Board, or the any future service provider), other than which the Town Council has deemed to explicitly resolved to deal with.**

Background:

3. Members have been furnished with further background information, to that tabled to Full Council in November 2020 and January 2021, in the correspondence from the Town Clerk as appended to this report via his email dated 5th February 2021, which was accompanied by the Annual General Meeting agenda (issued 4th February 2021), which included three special motions.
4. The Annual General Meeting agenda was re-issued on the 8th February 2021 and is attached to this email summons and can be found on the Sussex and Surrey

Association of Local Councils website. This includes four ordinary motions in addition to the special motions in the original agenda issued last. The difference between a special motion and ordinary motion is the difference in percentages to carry the motion. This being 75% of those present for a special motion and 50% for an ordinary motion. It can only be guessed that the additional ordinary resolutions should have been included in the original AGM agenda and that a challenge to their non-inclusion was made successfully. Nevertheless, this does not affect this report in terms of support for each motion as it is recommended that all seven be supported.

5. The following resolutions are recommended for support as per the WSALC Agenda Summons.

9.1 Special Resolutions - to be voted upon in accordance with the articles of association para 5.1 and Companies Act 2006 Section 283. The following resolutions will be voted on as special resolutions only: -

1. The Parish Councils of West Sussex instruct the Directors of WSALC as a Special Resolution not to purchase governance services from the Hampshire Association of Local Councils.
2. The Parish Councils of West Sussex instruct the Directors of WSALC as a Special Resolution to work with the East Sussex Association of Local Councils to re-establish a Sussex Association and to receive joint governance arrangements through a single service.
3. The Parish Councils of West Sussex instruct the Directors of WSALC as a Special Resolution to appoint a new Chairman and Vice Chairman of WSALC.

9.2 Ordinary resolutions - per the Companies Act 2006 these will need to be voted and passed by 50% of the membership present at the meeting and entitled to vote.

1. That the Chairman and Vice Chairman of WSALC resign with immediate effect.
 2. That the remaining Directors of WSALC confirm that they will operate to meet the company objectives set out in the Memorandum and Articles of Association.
 3. That the remaining Directors of WSALC confirm that they will establish an open and transparent dialogue with Parish Councils in West Sussex to effectively understand and meet their needs.
 4. That the remaining Directors of WSALC work constructively with SSALC on its current value for money exercise and establish a clear and constructive framework for moving forward.
6. Finally, to ensure that we are transparent and open, all further decisions other than that resolved by the Town Council of the 25th January 2021 reference future professional service purchases, be delegated to the two authorised Councillors namely Matt Jeffers and Michael Pulfer and that the Town Clerk be able to convey their decisions to the WSALC or the service provider. The Town Clerk contends that this is in place, but for the avoidance of doubt it be asked that this is reaffirmed in case of a legal challenge against the special and ordinary motions by the current and future Directors of WSALC or service provider.

7. **Financial Implications** - None directly in relation to this report.

8. **Legal Implications** - None.

Town Clerk

