



**HAYWARDS HEATH
TOWN COUNCIL**

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17th August 2021

To all Councillors,

Dear Councillor,

You are hereby summoned to attend an extraordinary **MEETING OF HAYWARDS HEATH TOWN COUNCIL** to be held on **Thursday 2nd September 2021** at the Town Hall in the Council Chamber at **7.30pm** when the following business will be transacted.

Yours sincerely
Steven 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 Annual Meeting of the Council held on 5th May 2021.
5. To receive Declarations of Interest from Members in respect of any matter on the agenda.
6. To consider the Town Council's response to the Future of Clair Hall consultation.
7. To consider any urgent items the Town Mayor has received.
8. To consider exclusion of Public and Press.

*'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 Howard Munding

Town Clerk Mr Steven Trice

HAYWARDS HEATH TOWN COUNCIL

ANNUAL MEETING OF HAYWARDS HEATH TOWN COUNCIL

Minutes of the meeting held on Monday 5th May 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 **

Howard Munding

Stephanie Inglesfield

Matthew Jeffers

James Knight

Clive Laband

Jack Langley

Alastair McPherson

Richard Nicholson

Mike Pulfer

Sujan Wickremaratchi

Apologies Absent***

Also present: M. Baker

Before the meeting commenced the Town Mayor asked for each Members to confirm that they were present, which is reflected above.

1. Council Prayer

Members stood for the Council prayer, which was read by Town Mayor Cllr Alastair McPherson.

2. Election of Town Mayor for 2021/2022

The Town Clerk asked for nominations for the Town Mayor for the 2021/2022 Council year. There was one nomination for Town Mayor, which was duly seconded and without challenge;

Cllr Howard Munding was the duly declared Town Mayor for the Council year 2021/22. Cllr Munding made his declaration of acceptance of office and visibly showed himself signing the declaration with a wet signature.

Cllr Munding invited Cllr McPherson to address Full Council who congratulated Cllr Munding on his appointment as Town Mayor. Furthermore, it was noted that he, the Deputy Mayor and Town Clerk had raised over £2,500 for the Mayor's Charity Time4Children through the Mayor's marathon, and all those who had sponsored him and colleagues were thanked. Generally, he thanked the Deputy Mayor, Leader, fellow Councillors and the Town Clerk and all staff for their support over the last two years, especially through the Covid-19 pandemic. It was noted the Town Clerk had delivered a past mayor's badge, town plaque and bottle of wine to thank him for his tenure as Mayor, which had been the greatest honour. Most importantly he thanked his wife and two daughters for their unwavering support during his term of office and especially over the last twelve months.

3. Apologies

C. Evans – Work Commitment.

4. Public Forum

None

5. Appointment of Deputy Town Mayor for 2021/2022

There was one nomination for Deputy Town Mayor, which was duly seconded and without challenge;

Cllr Alastair McPherson was duly declared Deputy Town Mayor for the Council year 2021/22. Cllr McPherson made his declaration of acceptance of office and visibly showed himself signed the declaration.

6. Appointment of the Leader of the Council for 2021/2022

There was one nomination for the Leader of the Council, which was duly seconded and without challenge;

Cllr Michael Pulfer was duly declared as the Leader of the Council for the year 2021/22.

7. Appointment of the Deputy Leader of the Council for 2021/2022

There was one nomination for Deputy Leader of the Council, which was duly seconded and without challenge;

Cllr Clive Laband was duly declared as the Deputy Leader of the Council for the year 2021/22.

8. Committee membership for the 2021/2022

The Town Clerk Informed Members that he had received pre-prescribed nominations for 2021/2022 Committee Membership, working groups and outside appointments. As a result, to the best of his knowledge he would run through the appointments given to him and would offer the opportunity for others to be nominated. It was then stated that if there were more requests than positions available a vote, by a show of hands would be taken.

The following names were put forward and agreed for the Committee membership for the Council year 2021/22

(ii) Environment & General Purposes Committee

C. Cheney
R. Cromie
S. Ellis
S. Inglesfield
M. Jeffers
J. Langley
A. McPherson
H. Muddin

(ii) Planning Committee

C. Cheney
C. Evans
S. Inglesfield
C. Laband
A. McPherson
R. Nicholson
M. Pulfer
S. Wickremaratchi

(iii) Policy & Finance Committee

C. Ash-Edwards
R. Bates
R. Cromie
C. Evans
J. Knight
C. Laband
R. Nicholson
M. Pulfer

9. To confirm appointments of Committee Chairmen and Vice Chairmen for the Council year 2021/2022.

It was **RESOLVED** that the following Members were appointed as Committee Chairman and Vice Chairman for the Council year 2020/21. None of the posts were contested.

(i) Environment & General Purposes Committee

Chairman: M. Jeffers
Vice Chairman: S. Ellis

(ii) Planning Committee

Chairman: C. Laband
Vice Chairman: A McPherson

(iii) Policy & Finance Committee

Chairman: J. Knight
Vice Chairman: C. Ash-Edwards

10. Membership of the Sub Committees/Working Groups:

It was **RESOLVED** that the following Members would serve on the following Sub Committee Working Groups for the Council year 2021/22.

(i) Haywards Heath in Bloom
S. Ellis

(ii) Communications and IT Working Group.
S. Ellis, C. Evans, C. Laband, S. Inglesfield, J. Langley

- (iii) Planning Working Group
M. Pulfer, A. McPherson, C. Laband, C. Cheney, S. Inglesfield
- (iv) Staff Working Party
H. Mundin J, Knight, C. Ash-Edwards, S. Ellis, M. Pulfer
- (v) Transport Partnership
M. Pulfer, R. Bates
- (vi) Chairman's Working Party
A. McPherson, J. Knight, C. Laband, M. Jeffers, M. Pulfer
- (vii) 2021 Working Group
A. McPherson, S. Wickremaratchi, J. Knight, S. Inglesfield
- (viii) Environment Working Group
C. Cheney, J. Knight, A McPherson, R. Cromie, R Nicholson

11. To confirm Council representatives on the following outside bodies:

It was **RESOLVED** that the following Members would be the representatives on the following outside bodies. None of the posts were contested.

- (i) Mid Sussex Association of Local Councils and West Sussex Association of Local Councils
M. Jeffers and M. Pulfer
- (ii) Mid Sussex Association of Town Councils
A. McPherson, M. Pulfer, H. Mundin and S. Inglesfield
- (iii) Haywards Heath Twinning Association
H. Mundin
- (iv) Blunts/Paiges Meadow Reserve
M. Jeffers and S. Ellis
- (v) Scrase Valley Reserve
R. Cromie and C. Cheney
- (vi) Ashenground and Bolnore Woods Steering Group
A. McPherson and S. Inglesfield
- (vii) Woodside Pavilion Management Committee
M. Jeffers
- (viii) Haywards Heath Business Association
S. Wickremaratchi
- (ix) Haywards Heath Town Team
S. Ellis

- (x) Northern Arc Liaison Group
M. Pulfer
- (xi) Mid Sussex Cycle Forum
S. Ellis and R. Bates
- (xii) Bluebell Railway Working
J. Knight

12. Declarations of Interest.

None.

13. Minutes

The Minutes of the Meeting of the Council held on 22nd March 2021, without comment, were taken as read, confirmed as true and duly signed by the Mayor.

14. To Dispose of any Business Outstanding from the Last Meeting.

None.

15. Mayor's Engagements and Announcements.

None. The newly elected Mayor had nothing to update upon. The former Mayor asked it be noted that there was the opening of A-Plan Insurance in South Road the following week, but there had been no engagements in the period since the last meeting in March.

16. To receive and consider adoption of the Minutes of the following Committees:

- (i) Planning Committee - **MINS. 129 - 143**
The reception and adoption of the resolutions of the Planning Committees, dated 6th April 2021 - **Mins 129 – 135** and 26th April 2021 - **Mins 136 – 143** were moved, seconded and agreed without discussion by Council.
- (ii) Environment & General Purposes Committee – **MINS. 49 - 57**
The reception and adoption of the resolutions of the Environment & General Purposes Committee, dated 21st April 2021 - **Mins 49 – 57** were moved, seconded and agreed without discussion by Council
- (ii) Policy & Finance Committee
No meeting held since the last meeting of Full Council.

17. Standing Orders and Financial Regulations Annual Review.

Members noted the report of the Town Clerk which presented, as part of the annual review, a set of revised Standing Orders and Financial Regulations for the Town Council. The following matters were raised;

1. There was concern that some amendments were not required, such as the requirement to not hold meetings in place where alcohol was served.
2. Clause 2.b had a typing error and didn't make sense.
3. Clause 12.e (income below £250) was not required.
4. Provision of an airport under clause 18.g needs to be removed as it would never happen.

The Town Clerk stated that the inclusions causing concern were statutory in the NALC model Standing Orders, but he would discuss these issues with the Internal Auditor

later in the month and agreed to tidy up the clause 2.b accordingly. It was asked that the documents be returned to the Town Council. This was countered on the grounds that the Town Clerk would make the necessary changes and send the Standing Orders and Financial Regulations to all Councillors who would then have to confirm receipt and confirm understanding. Furthermore, there was uncertainty surrounding the date of the next meeting of the Town Council so this could lead to a delay in their adoption for use. This course of action was then agreed by the mover of the request to return to documents to Council, so;

Members **RESOLVED** to;

Adopt the Town Council's revised Standing Orders and Financial Regulations as presented for the 2021/2022 year with amendment to clause 2.b and discussion regarding the clause 1.a, 2.b and 18.g delegated to the Town Clerk.

18. Code of Conduct

Members noted the report of the Town Clerk and without comment.

Members **RESOLVED** to;

Adopt the Councillor Code of Conduct as presented.

19. Arrangements for Council Meetings until the September 2021

The Town Clerk updated on the High Court ruling to not allow the continuation of remote meeting legislation and presented a suggested framework to manage Council meetings until the 1st September 2021. This proposal was based on the feedback from Councillors on a poll of returning to the Council Chamber before the 21st June 2021 and/or before all councillors and staff had been fully vaccinated. It was noted that a return to physical meetings could be considered at any time as the approval to do so was delegated to the Town Clerk in liaison with Mayor and Leader. Agreeing to the recommendation and rationale for such, it was noted that there was flexibility in remote meetings with the Town Clerk making decisions based on what would be advisory group advice and all decision would be ratified at the next available and legal meeting of the Town Council. The Town Clerk was thanked for producing a framework so to continue meetings in a safe manner until people feel safe to return to physical meetings.

RESOLVED that;

- a) **The Town Council's committee timetable continues with all Full Council and committees acting as working groups.**
- a) **All discussions/agreements, at the working groups, will act as a guidance to the Town Clerk who is given full delegated authority to act on behalf of the Town Council to make decisions in line with the advice agreed on behalf of the Town Council at the working groups.**
- b) **If agreeable, this arrangement remains in place until the 1st September 2021, on the understanding that a meeting in person can be called at any time if the Town Council wishes to do so.**

c) Members adopt the rationale for resolutions a) to d) as presented in Appendix A as follows.

DELEGATION OF AUTHORITY UNDER S.101 OF THE LOCAL GOVERNMENT ACT 1972

To agree emergency measures that if it was not possible to convene a meeting either in person, or legally virtually of the Council, or a Committee in reasonable time, or where restrictions are in place or moral issues dictate (in this case Covid-19 vaccinations programme) to coincide with matters nationally, the Town Clerk (and Deputy Town Clerk) shall have delegated authority under s.101 of the Local Government Act 1972 to make decisions on behalf of the Council where such decision cannot be reasonably deferred and must be made in order to comply with Member's wishes, or a commercial or statutory deadline. This will be carried out where possible by consultation with Members by electronic means, or telephone. The Town Clerk will further consult with the Mayor and Leader for guidance as necessary. The aim would be to follow the normal schedule of the meeting process, producing Agendas (Reports) and Minutes (Notes of Meetings) virtually as advisory groups. The delegation does not extend to matters expressly reserved to the Council in legislation, or in its Standing Orders or Financial Regulations. Any decision made under this delegation must be recorded in writing and must be published in accordance with the relevant regulations.

Therefore; recommendation d) of Item 19 additional background note.

To consider adopting as follows to enable decision making to continue largely by virtual means during the current Covid-19 epidemic:-

1. Having regard to the circumstances related to Covid-19, meetings of the Members of Committees (but not regular meetings of Full Council) will be held virtually.
2. The Chairman of a Committee may, in discussion with the Town Clerk, determine that the nature of business at any individual meeting is such that it should be held in person.
3. The Mayor may, in consultation with the Leader and Town Clerk, determine that the nature of the business at a meeting of the Full Council is such that it may be held virtually, however this discretion may not be exercised if the business to be transacted cannot lawfully be delegated to an officer.
4. The Town Council recognises that virtual meetings may not constitute legal meetings of the Town Council, but nevertheless are a practical way of establishing Member's views in the extraordinary circumstances currently extant. The Town Council therefore delegates any decisions which would, in normal circumstances, have been made at meetings which are held virtually, to the Town Clerk, who will have regard to the views expressed by Members at the meeting.
5. The provisions will also apply to Special Meetings of the Town Council unless the nature of the decision to be made is such that it cannot be delegated to an officer.
6. Standing Orders and other rules including in particular the quorum will apply to virtual meetings to the extent possible having regard to the medium, and Members will be expected to take part and to tender apologies to the extent that would apply to physical meeting.
7. The Town Council will publish agendas and minutes of virtual meetings in a form and detail and with the same timing as that which applies to physical meetings and will make reasonable efforts to enable members of the press and public to witness or participate in virtual meetings to the same or a similar extent that the press and public can witness or participate in physical meetings.
8. For the purposes of Section 85 of the Local Government Act 1972, the Town Council approves (as a legitimate reason) a failure by any Member to attend meeting(s) of the authority in the specified circumstances. The specified circumstances are that
 - a. the Member would have met the attendance requirement set out in section 85 of the Local Government Act 1972 if virtual meetings which he or she attended were counted as if they were legitimate meetings of the Authority and
 - b. the Town Clerk is satisfied that the Member in question has a medical reason, related to Covid-19, for not attending physical meetings, based on evidence provided by the Member no later than ten working days before the meeting of the Town Council at which he/she would otherwise have been obliged to seek approval of absence had this provision not been in force.

In the event that a Member disagrees with the decision made by the Town Council in respect of 9(b) they may make an application to the Town Council for approval of an absence in the manner and timescale which would apply had this provision not been in force.

9. The above provisions will cease:
- (a) Immediately after the 1st September 2021, unless the date is varied in accordance with the below.
 - (b) Immediately in the event that the law is clarified or changed such that virtual meetings constitute lawful meetings of the authority.
 - (c) By virtue of a physical meeting of the Town Council, the provisions could be ceased, if Covid-19 circumstances change nationally.
10. A decision to extend the date set out in 9(a) may be made by the Town Council or under delegated powers to the Town Clerk (having regard to the circumstances) in liaison with the Mayor and Leader.

In summary, basically delegate everything to the Town Clerk that can legally be delegated, Committee meetings continue virtually but of course are legally 'advisory'. There will be no Town Council meetings in person, unless there is something to decide which cannot be delegated.

20. To consider any urgent items, the Town Mayor has received.

None.

21. Members RESOLVED to exclude the public and the press.

None.

Meeting Closed at 8.11pm

Committee Meeting: Full Council

Report of: Town Clerk

Date: 2nd September 2021

Subject: Future of Clair Hall – Consultation Response

Purpose of Report:

1. The purpose of this report is to consider a consultation response.

Summary:

2. Mid Sussex District Council via its independent consultants E.C.F are undertaking a consultation on the future of Clair Hall based on the following questions.
 - What sort of uses are needed in the future?
 - Should the existing building be redeveloped or refurbished?
 - What do you like about the site and what could be improved?

The following reports outlines the process that the Town Council has undertaken to make its response, which is presented as Appendix 1 for adoption.

Members are recommended to;

- (b) Ratify the recommendation of the Planning Working Group dated 16th August 2021 and adopt the representation on the Future of Clair Hall as presented in Appendix 1.**

Background

3. Members will find attached as Appendix 1 the Town Council's proposed response to the Future of Clair Hall consultation.
4. The response was initially formulated by the Planning Working Group dated 26th July 2021, tested with residents at the Mayor's and Deputy Mayor's drop in event on the 10th August 2021 and then formally refined by, and then recommended by the Planning Working Group at its meeting dated 16th August 2021.
5. The response is therefore recommended to this extraordinary Town Council meeting with additions raised by the public with regards to the Redwood Centre, the usage of the site for youth activities and reference to the Disability Act 2010. These are accompanied by an additional paragraph under 'Should the existing building be redeveloped or refurbished'.
6. Generally, the response is presented for adoption and publicising leading up to the consultation deadline on the 22nd September 2021.

Financial Implications and Legal Implications

7. None consultation response.

Town Clerk

Clair Hall Consultation - Shaping the Future of Clair Hall

Response from Haywards Heath Town Council.

Policy Context; as a starting point it is worth outlining the Town Council's current policy and adopted position on the future provision of Clair Hall.

Haywards Heath Neighbourhood Plan,

- **HHNP – Policy L1 – Clair Hall and Dolphin Leisure Centre**
Objective 10A: Ensure the Haywards Heath Leisure, Recreational and Community Buildings meets the needs of local people. This includes the retention and improvement of Clair Hall and the Dolphin Leisure Centre services.
The town has a very active community life, representing many different groups and organisations. HHTC has carried out an assessment of existing community facilities which confirmed the perception identified at public consultation that most of the existing community facilities are of small to medium capacity, and that Clair Hall is an essential facility that is in need of substantial improvement. This facility has the opportunity to enhance and support Arts and Culture within the Town.
In accordance with the MSDC Infrastructure Delivery Plan, developer contributions will be sought from new development towards the funding of improvements to Clair Hall.
HHTC identifies that the land at Clair Hall has the potential to accommodate the improvements required. Clair Hall is the primary community facility in the Town and should be improved on its existing site or relocated to another sustainable location within the Town. Any relocation must be suitable, have planning permission in place, all necessary legal agreements in place and funding in place. Continuity of the venue would be required.
The MSDC Infrastructure Delivery Plan identifies that there is a need for 2 new community facilities over the Plan period as well as improvements to the existing Clair Hall.
HHTC will work with the appropriate bodies and local people to secure the delivery of an improved Clair Hall community facility.
Policy L1: Development resulting in the loss of Clair Hall whilst the facility remains needed and valued by the local community will be resisted unless there is re-provision of an equivalent or better facility within the Town prior to the loss of the existing facilities.

Stated Town Council Policy

- **Resolution of Full Council 21/08/21 under minute/resolution 52.**
Note the possible permanent closure and demolition of Clair Hall and to welcome the Town Council's inclusion in re-establishing modern community facilities.
- **Resolution of Planning Committee 15/12/20** under minute/resolution 88 and ratified by Full Council 25/01/21 under resolution 73(i).
'In line with HHTC adopted policy in the HHNP and DHH any successor to Clair Hall should be built on the existing site, providing a modern multipurpose flexible facility. Furthermore, MSDC should be left to come up with a design in consultation with HHTC to ensure that resident's needs and requirements are catered for by providing a viable multifunctional space'.

Destination Haywards Heath (HHTC visioning document)

- Phase 2 priorities list and directly relating Leisure and Recreation priorities.

Consultation Response

Generally

Clair Hall must be a state of the art cultural and community facility for the residents of Haywards Heath and Mid Sussex. Any facilities must provide at least the provision currently available, but the Town Council believes it must cater for other uses so to ensure that the building is financially viable and sustainable in the long term.

In relation to the 'Future of Clair Hall' consultation.

What sort of uses are needed in the future?

The uses to be supported by Clair Hall should be primarily based on a multi-functional building set up which provides space and the ability to provide;

- Theatre and cinema. An ever-growing Town must have a space for residents to visit and enjoy these cultural activities.
- The provision of a studio and rehearsal space for the performing arts, music and dance. Local organisations and touring companies/performers need this space to rehearse, teach and develop the arts.
- Exhibition space to provide for local artist to display the work and to enable the display of historical information of the Town.
- Meeting and conferencing and for business and community groups. The building cannot lay dormant during the week 9am – 5pm so the offer of meeting and conferencing will not only offer such to local organisations/businesses but to those from further afield.
- The appropriate facilities within the new building to provide for youth/teenage activities being cognisant of the facilities/services offered by the Redwood Centre.
- The aforementioned must be supported by a food and drink offer. The provision of a bar and café in the building and a restaurant for those who would wish just wish to visit to eat.

All of the above should be provided in a new state of the art building that has the most up to date technology and must be built in a sustainable and environmentally friendly manner (carbon neutral). The building should be built to in line with Equalities Act 2010.

Should the existing building be redeveloped or refurbished?

Haywards Heath Town Council strongly supports the reprovision of Clair Hall to provide a modern entertainment and community centre for Haywards Heath and Mid Sussex.

The Town Council clarifies its position that Clair Hall should be reprovisioned in the form of a new, aspirational fit for purpose, future-proofed, sustainable building, however we need to be absolutely certain that the existing facilities at Clair Hall are safeguarded by a clear, binding commitment by MSDC of how, where and when they will replace it. When this is provided, Clair Hall can be demolished and the building we need for our town can be rebuilt. Meanwhile it should be retained with minimum functionality and minimum expenditure.

Are there any services that we could help address through the Clair Hall site?

To make, what would be a valued, community space to be successful in the long term and underpin the business plan there must be consideration of services to compliment the night-time and weekend offer. These could include,

- Shared office space.
- Small gym pods and specialised gym.

- The moving of civic service to the site such as the Town Council and Library.
- Moving of the Cricket Club facilities into the building.

What do you like about the site and what could be improved?

What is liked about the site?

- Location of the site as a gateway to the Town. The station quarter area is one main gateways to the Town and gives a first impression of Haywards Heath to visitors. There is, in normal times, a great passing trade from commuters. The current Clair Hall does not capture any of this but there is an opportunity to capture trade in the future whether it is a food offer, meeting use or the primary cultural facilities.
- Sustainable Transport links – station/bus interchange. The location offers the ability of residents and people out of the Town to easily access the site by sustainable forms of transport.
- Linkage and proximity to Clair Park. Clair Park is wonderful back drop to the site as one the Town main open spaces and green lung.
- Neighbouring Premier Inn, which could provide accommodation for visitors to meetings and conferences.

What Could be improved

- The landscaping and entrance to the site is unappealing and unwelcoming. The entrance should be improved/re-landscaped to make it a more aesthetically pleasing, make more of a statement 'that the building is there and what it offers'. There is also the opportunity to rationalise the area to provide a small enhancement on parking spaces. It is also felt that car parking should be provided below ground to support the rise in usage that the Town Council's representation is promoting.
- The linkage and association of the current building to Clair Park is a huge missed opportunity. There is scope to open up and make the building a place to overlook and enjoy one of the Town's green lungs. This could work in conjunction with the Cricket Club facilities/needs and offer the provision of view from a bar/restaurant and café. Obviously, any break into the park would have to be undertaken sensitively.

Ends