

**HAYWARDS HEATH TOWN COUNCIL  
ANNUAL MEETING OF HAYWARDS HEATH TOWN COUNCIL**

**Minutes of the meeting held on Monday 5<sup>th</sup> 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 MUNDIN  
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 MUNDIN was the duly declared Town Mayor for the Council year 2021/22.

Cllr MUNDIN made his declaration of acceptance of office and visibly showed himself signing the declaration with a wet signature.

Cllr MUNDIN invited Cllr McPherson to address Full Council who congratulated Cllr MUNDIN 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 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. Mundin

(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 22<sup>nd</sup> 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 6<sup>th</sup> April 2021 - **Mins 129 – 135** and 26<sup>th</sup> 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 21<sup>st</sup> 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 1<sup>st</sup> September 2021. This proposal was based on the feedback from Councillors on a poll of returning to the Council Chamber before the 21<sup>st</sup> 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 1<sup>st</sup> 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 meetings.
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 1<sup>st</sup> 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 Mayor has received.**

None.

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

None.

Meeting Closed at 8.11pm