

HAYWARDS HEATH TOWN COUNCIL

MEETING OF HAYWARDS HEATH TOWN COUNCIL

Minutes of the meeting held on 22nd March 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: Town Clerk, Mr Nigel Currah

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

85. Council Prayer

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

86. Apologies

Cllr R. Cromie – personal matter.

87. Public Forum

Mr Nigel Currah addressed the meeting in relation to the proposals being heard under point 9 of the agenda. Mr Currah outlined the request that the Town Council makes applications for the establishment of a new, and the reinstatement of an existing Public Rights of Way off Wickham Way, Haywards Heath. Mr Currah stated the local support for the request and the need to protect much needed green corridor and spaces in the Wickham Way area of the Town whilst endorsing the contents of the report under item 9, which he had informed of the detail and liaised with the Town Clerk during its creation.

88. Minutes

The Minutes of the extraordinary meeting of Council Meeting held on 15th February 2021 were taken as read, confirmed as a true record and duly signed by the Mayor.

89. Declarations of Interest

Cllr S. Wickremaratchi declared a personal interest in Item 9 due to sitting on the Planning and Rights of Way Committee at West Sussex County Council and Item 12 as a West Sussex County Councillor for Haywards Heath Town Ward.

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

None.

91. Mayoral Engagements and Announcements

The Town Mayor announced that since the last meeting he had managed a small number of socially distanced engagements. This included a visit to the Bentswood Pantry, which was doing amazing work in the community and also had the support of the surplus food from the emergency Food Hub. In addition, he had launched the Rotary Club Central Group. It was hoped that more engagements would come on line as restrictions were lifted and he was hoping to open the A-Plan offices in the Town and that a proposed outside display by the Twinning Association and Horticultural Society could take place in The Orchards Shopping Centre. The Town Mayor then launched his Mayor's marathon event, which was aiming to raise money for his charity Time4Children as he had not had the opportunity to hold events as previous Mayors had been able to. The Town Mayor stated that he would be joined on the 26.2 mile run over three days by the Deputy Mayor and Town Clerk. It was noted that next day was the 'National Day of Reflection' one year after the official outbreak of Covid 19 and lockdown. He asked that Councillors take time out to reflect, and stated he would be doing so on the Town Hall steps at 12pm, observing a one minute silence. The Town Clerk added that the Groundstaff would be placing yellow ribbons on the South Road Trees and on Muster Green in honour of the anniversary.

92. To Receive and Consider the Adoption of the Minutes of Council Standing Committees.

(i) Planning Committee - MINS. 106 – 128. The reception and adoption of the resolutions of the Planning Committees, dated 1st February 2021 Mins 106 – 113, 22nd February 2021 Mins 114 – 121 and 15th March 2021 - Mins 122 – 128 were moved, seconded and agreed by Council.

(ii) Environment & General Purposes Committee - MINS. 38 – 48. The reception and adoption of the resolutions of the Environment & General Purposes Committee dated 15th February 2021 Mins 38 - 48 were moved, seconded and agreed by Council.

(iii) Policy & Finance Committee - MINS. 48 – 60. The reception and adoption of the resolutions of the Policy and Finance Committee dated 8th March 2021 Mins 48 - 60 were moved, seconded and agreed by Council.

93. Request for the Town Council to Make an Application to Establish a New, and Reinstatement of an Existing Public Rights of Way off Wickham Way, Haywards Heath

Members had heard the representation from Mr Currah on the reasoning behind the requests made to the Town Council, so the Town Clerk briefly made comment on the formal process and legalities of an application, which had been presented in the accompanying report and then deferred to Members for their views. There was unanimous support for the principle of the application as it was felt that green spaces needed to be protected. It was also felt that it was a wonderful opportunity to support local residents as they care deeply about these issues and ask for Councillor's support when such applications should be forthcoming. However, it was stated that the residents must realise that successful applications would not preclude a planning

permission as the land owner could move the Right of Way, or put an access road alongside the footpath. The Town Clerk was asked about the financial risks. The Town Clerk referred Members to his report that outlined the process. In summary, the applications would not cost, but any challenge to a decision on the matters by West Sussex County Council could attract costs if a planning enquiry was undertaken and lost. It was noted costs would be borne by the applicant if it could be proved that they acted unreasonably and it was felt that the Town Council would not be doing so as the Local Authority. Therefore, it was thought that there would be a very small chance of costs. Members still had financial concerns and felt that the Town Council should do some due diligence work before committing in the form of a risk assessment including what precedents would be set by making the applications. It was also asked if residents would have to make representation as the process could be long and drawn out and there could be those who leave the area or unable to attend, which in itself is a risk. To manage this risk there would have to be a sensible and open consultation throughout the process. Concern was also raised about how the issue would be progressed and how decisions would be made. The Town Clerk responded by saying that delegated authority could be given to him or the matter moved to a committee, this is what Members were asked to resolve. Debate on the matter had come to a conclusion, so the Leader of the Town Council moved the following motion;

Adopt considerations a) and b) with the additional wording 'subject to the Town Council undertaking an affordability and risk assessment that be delegated to the Policy and Finance Committee for consideration.'

This was seconded and then it was unanimously agreed that;

Members **RESOLVED** to;

Make two applications to West Sussex County Council through Definitive Map Modification Orders for the following;

- a) Establishment of new Public Right of Way through Wickham Fields (as marked in red on the map in Appendix 1 of this report)**
- b) Re-instatement of a Public Right of Way through Wickham Fields (as marked in blue on the map in Appendix 1 of this report)**
- c) subject to the Town Council undertaking an affordability and risk assessment that be delegated to the Policy and Finance Committee.**

94. West Sussex Association of Local Association Councils

It was noted that the arrangement being pursued by West Sussex Association of Local Councils (WSALC) to move professional services to Hampshire Association of Local Councils had been stopped and as a result the incumbent Chairman and Vice Chairman of WSALC who led on the move had been removed. What was a newish Board had been in place for 20 days and was moving back to what was as near as possible to the previous arrangements working the former CEO Trevor Leggo and Mulberry and Co for legal services, but the damage to the alliance of East Sussex, West Sussex and Surrey formally was not repairable, but all three Counties were looking to access similar services. It was noted that there was a move to reduce subscriptions by ten percent in the short term with a full review in July pending. It was therefore suggested that a watching brief be placed on the new Board of Directors as the way forward, so they do not lose the commitment to consult and work with Clerks. It was moved that in line with this, that the matter of membership be brought back to Council by the end of January 2022, which was seconded. It was noted that there was decimal point error in the figures for the NALC contribution per elector. This was confirmed and the figure stated of £1,695.84 was correct. Finally, the Deputy Mayor conveyed thanks to the Town Clerk for his work throughout, for what was a very unprofessional process led by the now deposed WSALC.

Members **RESOLVED** to;

- a) **Exercise their right to withdraw their resignation from West Sussex Association of Local Councils and National Association of Local Councils on the basis that the Town Council is content with the service provider for professional and legal services to be provided for the Council year 2021/2022.**
- b) **Pay the revised subscription fee of £1,575 to West Sussex Association of Local Councils and £1,695.84 to National Association of Local Councils as stated under the financial implication of this report.**
- c) **That the membership be reviewed by the end of January 2022.**

95. Date of the Annual Meeting of the Town Council 2021

Members noted the reasoning for the potential change of the date of the Annual Meeting of the Town Council 2021 as presented by the Town Clerk, which centred around the uncertainty of the extension to legislation to hold remote meetings after the 6th May 2021. Members agreed that it would be sensible to move the meeting, but it was moved and seconded, on the basis there was reasonable thinking that an extension would be granted, and that the meeting only be moved to the 5th May 2021 from the 10th May 2021 before the summons legally needed to be served. If that change to legislation does not occur.

Members **RESOLVED** that if it remains illegal to hold the Annual Meeting of the Town Council remotely on the 10th May 2021 that;

- a) **Clause 3b of Standing Orders be waived for the 2021 Annual Meeting of the Town Council and that the meeting be held on Wednesday 5th May 2021 commencing at 7.30pm.**
- b) **The Town Council lobbies its local MP by letter to bring the matter of extending legislation for remote meetings to the attention of the Secretary of State for Housing, Communities and Local Government.**

96. West Sussex County Council – Community Grass Verge Scheme

Cllr Ellis presented the Community Grass Verge Scheme and her proposal to plant wildflowers, as a pilot, on the land as presented off Milton Road and asked that the Town Council invests in its green nature with its residents.

Members **RESOLVED** to;

- a) **Accept and agree to the motion to place.**
- b) **Give delegated authority to the Town Clerk to action any funding and legal matters in relation to the West Sussex County Council Community Verge Scheme at Milton Road.**

97. Urgent Items

The Leader of the Council recognised that the meeting was the last to be presided over by the incumbent Town Mayor, Cllr McPherson. The Leader stated that Cllr McPherson had endured an unbelievably turbulent time as Town Mayor, especially over the last year. Praise was conveyed for his work and notably his passion for the Town including his work on Destination Haywards Heath, the South Road Trees project, charity work including Time4Children and Grove Garden. Of course, there was the Leave No One Behind Initiative at the beginning of lockdown and the creation of the Emergency Food Hub. It was even noted that Cllr McPherson would be running a

marathon over three days before the end of his tenure. In closing, the Leader of the Town Council thanked Cllr McPherson for his tenure as Town Mayor, on behalf of all the Councillors at Haywards Heath Town Council.

Meeting Closed at 8.33pm