**MINUTES of the Meeting of the Council** held on Thursday 13 December 2018 at 8.00pm in the Village Centre, Trinity Road, Hurstpierpoint.

**Members Present**

Stephen Hand - Chairman
Rodney Jackson
David Evans
John Lowman
Malcolm Llewellyn
Steve Whitehead

**Also Present:**

Colin Trumble (MSDC Ward member)
Stephen Hoyles CLERK TO THE COUNCIL
1 member of the public

**C18/076. Apologies for absence and declarations of interest:** The following apologies for absence were received before the meeting and accepted: Allan Brown, Rosemary Burns, Amanda Geel, Tony Lank, Martin Machan, Claire Majsai, Bob Sampson, Julia Shorrocks, Anthony Watts Williams (MSDC Ward member), Joy Dennis (WSCC Ward member), John Wilkinson (MSDC Ward member).

There were no declarations of interest.

**C18/077. Minutes and Confidential Minutes of the Meeting of the Council held on 22 November 2018:** The Council received and accepted the minutes.

**RESOLVED: The Minutes and Confidential minutes of the Council meeting of 22 November 2018 are adopted.**

**C18/078. Matters arising from the Minutes of the Council meeting held on 22 November 2018:** There were no matters not otherwise on the agenda.

**C18/079. Adjournment for questions from the public:** There was no request from members of the public present, so the Council was not required to adjourn the Meeting in accordance with clause 70 of Standing Orders.

**C18/080. Reports from other authorities:** Council received verbal reports from representatives of other Authorities:

**(1) Mid Sussex District Council (MSDC):** Colin Trumble (MSDC Ward member) reported: (1) Gatwick Airport expansion issues: The masterplan was reviewed every 5 years and the current agreement regarding the restricted use of the standby runway expires in 2019. The Airport was now consulting on options including: the best use of existing capacity, use of the standby runway for take-offs, a second main runway. The District Council were formal consultees and were considering their response. At this stage it was likely that there would be a request for further information regarding housing, transport and supporting infrastructure. (2) Mayfield Market town: it had been noted that Horsham DC were entering into a Planning Performance Agreement with the developer, to consider future options with respect to their District Plan. MSDC position remained that the proposals were not needed and were not being considered. (3) Temporary accommodation: MSDC were purchasing up to 20 properties to accommodate people who were otherwise being housed in temporary bed and breakfast lodgings outside the District. (4) The Court Bushes Community Hub project was progressing in conjunction with the Parish Council. (5) Development at Ladymead, Hurstpierpoint: recent concerns about the movement of contractors vehicles had been noted and acted upon. (6) Social housing: Cllr Trumble had noted concern about some instances of overcrowding and MSDC were pursuing these matters with Clarion Housing. The Parish Council noted the report and in response to the matters on Gatwick Airport agreed that it would continue to support the position of the District Council, but would not at this stage be making a separate response to the consultation.

**(2) West Sussex County Council County Local Committee (WSCC/CLC) :** Joy Dennis (WSCC Ward member) was unable to attend so no report received on this occasion.

**(3) Mid Sussex Association of Local Councils (MSALC):** Rodney Jackson reminded the Council that a joint MSALC/MSDC conference was being planned for February 2019.

**C18/081. Committee and Working Group minutes:** The Committee Chairmen introduced each Minutes, which the Council was asked to receive and where appropriate, consider the RECOMMENDATIONS:

**C18/081.1 Planning Committee** (29 November 2018)

**C18/081.2 Court Bushes Working Group** (27 November 2018) (Matters were considered under Minute C18/082)

**C18/081.3 Traffic + Parking Joint Councils Group** (3 December 2018)
**C18/081.4 Finance + General Purposes Committee** (6 December 2018)
**(1) Minute F18/056.5 Internal Audit Report:** The Committee was asked to consider the Internal Audit Plan and letter following the Auditor's visit of 9 November 2017, and recommend to Council that it was received and adopted. Reference was made to Action Plan of the letter and the Action Plan, and the Clerk's response as follows:

| Summary of Matters arising | Summary of Recommendations | Council response |
|---|---|---|
| The Council publishes extensive information on the website and is largely compliant with the requirements of the 2015 Transparency Code. However, the website is a little cluttered | I recommend that a new tab is set up, labelled transparency, and all data required by the Code should be held on this tab. I have recommended Crowborough TC as a template for this information | Agreed, but this action has not yet been implemented. Proposed that it will be incorporated into the Council's new website in 2019/20. |
| Money coverage is not sufficient at £250K. The Council's cash holdings regularly exceed this balance, and the Council is due to receive further s106 monies relating to Hurst Meadow. | I therefore recommend that the insurer is contacted and insurance is increased. Again, a watching brief should be kept on this area, as the Council takes on new responsibilities. | Insurance cover has been increased to £500,000 (at no increase to premium in the current year). The matter will be reviewed again at insurance renewal in May 2019. |
| I note a number of significant changes to the Council's finances are expected over the next few months | I recommend that these changes are<br>- Included in 2019-20 budget planning<br>- Added to risk assessments<br>- Included in insurance policies | Noted and will be incorporated into Budget 2019/20. |

*(REF: Internal Audit letter year ending 31 March 2019 - 12 November 2018; Internal Audit Plan 31 March 2018, 11 November 2017)*

**RESOLVED:**
**(1) The Internal Audit Report (12 November 2018) is received and adopted.**
**(2) The Council responses are approved.**

**C18/082. Court Bushes Community Hub:** Council considered the recommendations from the Court Bushes Working Group meeting of 27 November 2018 to agree to make a submission to Mid Sussex District Council to take a long lease on the building and land, and to operate as a community centre. Reference was made to Council resolution (Minute C17/061.2 26 October 2017) to explore with landlord Mid Sussex District Council the acquisition of the Court bushes building for use as a community hub. A Court Bushes Working Group was formed (Council minute C17/095 18 January 2018) and progress reports had been since made through the minutes of that Group. Until a lease is signed with MSDC there was no legal or financial commitment from the Parish Council, but a number of matters could be considered in anticipation of successfully securing that lease. The detail of the proposals remain commercially sensitive at this stage and were therefore to be considered in confidential session of Council

Council was therefore asked to consider the following from the Court Bushes Working Group meeting of 27 November 2018:
**(1) Draft 3-year budget** (Minute CBP18/26)**:** The Working Group was asked to note and where appropriate comment on the working draft budget for the operation of the Hub. It was intended that this budget would be incorporated within the Council's full budget for 2019/20. It was noted that there was an expected deficit in years 1 and 2 , with cost neutral in year 3. The rent was assumed to be nil in years 1 and 2. The cost of caretaking was included, but other management charges for Parish Council staff were not included. In discussion the Working Group agreed to adjust the budget, to reflect inflation increases, to include Parish Council staff costs, and adjustments to income. Discussion also took place on the possibility of an ongoing revenue deficit in running the community hub, and the possible need for the Council's precept to reflect this responsibility. In discussion the Council considered the possible financial risks in the event that the take-up of the Hub was not as predicted. *(REF: Court Bushes Community Hub DRAFT 3-year Budget 2019/20 27 Nov v3 )*

**RESOLVED : The Court Bushes 3-year revised budget is approved (v3).**

**(2) 'Shopping list' of equipment** (Minute CBP18/28): The Working Group was asked to approve the list of required items which would be funded by the Parish Council to complete the Hub. The items include: perimeter fence and gate, external lampposts, tables and chairs for inside use, and other minor items for the functioning of the building. The list comprised rough estimates, which would be refined as items were purchased, and it is acknowledged that some had a higher priority than others. The costs would be met from the Council's budget (Code 6050) of £20,000 plus an application for an Community Grant of £5,000 to MSDC. It was further noted that the current on-site contractor had installed for his own purposes 2 floodlights attached to the building and 2 CCTV cameras. The contractor was offering that these items would be left on the building at a cost of

£790 + VAT (lights) and £1200 + VAT (cameras). The Working Group agreed that these appeared good value and should be included. However, the Parish Council could not commit to purchasing until the lease was secured with MSDC. It was therefore agreed that MSDC would be asked to retain the items and the Parish Council would reimburse on signing the lease.

The 'shopping list' expenditure was noted with the following adjustments:

| | | |
|---|---|---|
| Current list: | £32,000 | |
| Additional fence cost: | £9,000 | |
| CCTV | £1200 | |
| Floodlights | £800 | |
| Small terrace by bi-fold doors | £3,000 | |
| Total: | | £46,000 |

The source of funds was noted:

| | | |
|---|---|---|
| 2018/19 Parish Council budget: | £20,000 | |
| MSDC Community grant | £5,000 | |
| Total: | | £25,000 |

This left a potential deficit of £21,000 and it was therefore agreed that a RECOMMENDATION to Council would be made that a provision of £20,000 was made in the 2019/20 budget for capital expenditure on Court Bushes. In discussion, it was clarified that the proposed perimeter fence would be a 1.8m high chainlink on east, south and west boundaries, with the north boundary already sufficiently marked by private property boundaries, and that a 1.5m wide access path on the south boundary would remain in Parish Council control.
*(REF: Court Bushes 'Shopping list' schedule of items –22 Nov 2018)*

**RESOLVED: Subject to the confirmation of a lease being granted for the Court Bushes building:**

**(1) An application is made to MSDC for a Community Grant of £5,000 for the provision of tables and chairs for the Community Hub.**

**(2) Expenditure of £20,000 is made on items from the perimeter fence and gate, and external lighting plus items as prioritised from the schedule of equipment, for Budget Year 2018/19.**

**(3) Provision is made in Budget Year 2019/20 for £20,000 capital expenditure.**

**C18/083. Village Centre, Hurstpierpoint:** Council considered a request from the trustees of the Hurstpierpoint Village Centre Association (HVCA) to take the role of sole trustee of the Association and thereby take sole responsibility for the operation of the Village Centre. It was suggested that the transfer would be effective 1 April 2019. Council were previously advised of the likely request (Minute C18/057 27 September 2018) and further discussions had taken place in recent weeks between representatives of the Council and the trustees.

For some time there had been concern about the future availability of trustees to manage and operate the Village Centre. As increased regulatory, liability and compliance issues developed, so the need for more detailed management placed pressure on organisations run by volunteers, and understandably hard-working individuals had started to question their roles. The trustees had therefore asked whether the Council would be willing to take on the role of trustee and at its meeting 16 October 2018 the HVCA Trustees resolved as follows:

*"The Trustees of the Hurstpierpoint Village Association have agreed to putting a motion to an EGM, to transfer the Charity, in its present form, to the Parish Council as Sole Trustee. The Parish Council would be responsible for the management and maintenance of the Centre."*

Formal advice had been taken from Action in Rural Sussex (AiRS) on the process. The HVCA would continue as an independent Charitable Trust (Registered Charity No 305265), but with the Council as sole trustee. In turn, the Trust would contract with the Council for the day-to-day management and bookings, to be undertaken by Council staff and for which an annual charge would be made by Council to the Trust. The responsibilities for monitoring the compliance and liabilities of the Centre would remain with the Trust, and the Trustee would be the Council, not individual members. The financial transactions would remain within the Trust, with its own bank account and holding its reserves (which are currently approximately £100,000). (Albourne PC have been through a very similar process. Their village hall is leased from MSDC and the independent charitable trust wished to pass the operation to the Parish Council. The PC is now sole 'managing and holding' trustee. The whole PC is the trustee, but has delegated the operation to a management committee of councillors. The PC charges the trust for management time, covering finance, maintenance and so on. The whole Council, as sole trustee, meets quarterly in a separate meeting to conduct the trust's business. The village hall finances are totally separate from the Council finances.)

The Parish Office had prepared a Budget 2019/20 and an Operational Manual which set out how the Village Centre would be run from 1 April 2019. The Operational Manual explained how the management and governance of the Village Centre would operate. At present the building is leased by the Parish Council from WSCC at nil rent, expiring year 2054. The HVCA is stated in the lease as the operator and the Parish Council as Custodian Trustee. This arrangement would not change under the terms of the lease, but the Council is seeking

legal advice to confirm this position. The Council would undertake due diligence of the Association, to ensure that there were no undisclosed liabilities which could in future damage the trust.

The HVCA trustees had asked for the Council to accept the revised constitution (24 October 2018) which set out the governance of Village Centre, in the event that the Council became sole trustee. It was proposed that the following amendments were made, for purposes of clarification:
a) Clause 4.2: …to the exclusion of other Council interests ***in the Village Centre***.
b) Clause 5.6: replace 'members' with ***'Members'***

Council was therefore asked to resolve to accept the request from the trustees to take the role of sole trustee, subject to resolution at a forthcoming Extraordinary General Meeting of its members and subject to satisfactory due diligence, and to approve the Operational Manual, the Budget and the revised constitution. *(REF: Village Centre Operation Manual DRAFT v1 2 October 2018; Village Centre DRAFT Budget 2019/20 v2 3 Dec 2018; Village Centre revised constitution 24 October 2018)*

**RESOLVED: Council resolves:**
**(1) to accept the request from the trustees to take the role of sole trustee of Hurstpierpoint Village Centre (Registered Charity No 305265) subject to resolution at a forthcoming Extraordinary General Meeting of its members and subject to satisfactory due diligence;**
**(2) to approve the Operational Manual (v1 2 October 2018)**
**(3) to approve the Budget 2019/20 ( v2 3 December 2018)**
**(4) to approve the revised constitution with the amendments. (24 October 2018)**

**C18/084. Local elections 2019:** Council members noted the briefing issued by Mid Sussex District Council for parish and town council elections due 2 May 2019, and individual members were invited to take action as appropriate. . *(REF: MSDC Briefing for Parish and Town Council: 2019 Local Elections Nov 2018 )*

**C18/085. Information items, correspondence received and requests:** There were no matters for noting.

**C18/086. CONFIDENTIAL Matters:** The Council was asked to close the meeting to the public and the press under the Public Bodies (Admissions to Meetings) Act 1960 to discuss the following item:

**RESOLVED: To close the meeting under the Public Bodies (Admissions to Meetings) Act 1960 to discuss the following item: C18/086.1 Court Bushes Community Hub - proposal to Mid Sussex District Council:**

There being no other business the Chairman closed the Meeting at 9.25 pm.

Chairman