

Mid Sussex District Association of Local Councils (MSALC)

Chair: Cllr Douglas Denham St Pinnock (West Hoathly Parish Council)
Clerk: Anna Beams, Mulberry & Co, 9 Pound Lane, Godalming, GU7 1BX
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Minutes of a hybrid meeting of Mid Sussex District Association of Local Councils held on Tuesday 18th July 2023 at 6.30pm at Village Centre, Hurstpierpoint, BN6 9UY and by Zoom.

Present in person:

Cllr John Spencer	Albourne Parish Council
Cllr Daniel West	Ardingly Parish Council
Cllr Annabel Moir	Bolney Parish Council
Cllr Peter Williams	Burgess Hill Town Council
Cllr Martin Sheldon	Cuckfield Parish Council (Vice Chair)
Cllr Ian Weir	Hassocks Parish Council
Cllr Duncan Pascoe	Haywards Heath Town Council
Cllr David Colville	Horsted Keynes Parish Council
Cllr Rodney Jackson	Hurstpierpoint & Sayers Common Parish Council
Cllr Douglas Denham St. Pinnock	West Hoathly Parish Council (Chair)
Cllr Martin Robinson	West Hoathly Parish Council
Trevor Leggo	West Sussex Association of Local Councils, CEO

Present by Zoom:

Cllr Nicky Gould	Balcombe Parish Council
Cllr Alison Stevenson	Balcombe Parish Council
Cllr Linda Grace	Lindfield Parish Council
Cllr Sol Mead	Lindfield Rural Parish Council
Cllr Stu Nisbett	Lindfield Parish Council
Cllr Barry Theobald	Turners Hill Parish Council
Cllr Trevor Hodsdon	Worth Parish Council
Anna Beams	Secretary

1. Welcome

The Chair welcomed all those attending the meeting and explained to those new members that he is also the Chair of the West Sussex Association of Local Councils (WSALC). He introduced Trevor Leggo as the CEO of WSALC and thanked Hurstpierpoint Parish Council for providing WSALC with office space and accommodating tonight's meeting.

2. Apologies

Received and accepted from Cllrs Nicky Brown (Ardingly PC), Jenny Forbes (Ashurst Wood PC), Trevor Webster (Lindfield Rural PC) and Cllr Ian Gibson (Turners Hill PC).

3. Approval of Minutes of the previous meeting held on 31st January 2023

The Minutes were approved as a true and correct record.

The CEO reported that he had communicated with Southeast Water but had received no acknowledgment. The Chair added that a representative from SE Water had spoken at the West Hoathly Annual Assembly and explained that the shortage of water was due to insufficient storage capacity due to lack of funds and an increasing number of housing and businesses.

4. To receive an update from Trevor Leggo, CEO of WSALC – to include a discussion on the strategy for re-engagement with Mid Sussex District Council

Trevor Leggo provided an update on the following:

- a) A scheme has been rolled out in East Grinstead, Haywards Heath and Burgess Hill to tackle retail crime. The next phase is to roll it out in smaller areas.
- b) Trevor explained that engagement by Mid Sussex District Council (MSDC) with town and parish councils is lacking. Along with the Chair, he recently attended a meeting with key officers at MSDC to discuss a communications strategy. Two of the officers that attended the meeting have subsequently been made redundant. Trevor has since attempted to contact MSDC but has received no response to date.

Both Worth Parish and East Grinstead Town Councils have approached Trevor to complain about the poor attitude of MSDC towards town and parish councils. The Chair added that he has attempted to initiate dialogue with MSDC to no avail.

Following a full discussion, Cllr Rodney Jackson (Hurstpierpoint & Sayers Common PC) agreed to assist with the process of re-engagement with MSDC as part of his role of Chairman of MSDC and the Chair stated that he would like to re-build a joint MSALC/MSDC annual conference with the help of the parishes.

It was **AGREED** to form a Working Group to discuss and progress initiatives regarding re-engagement with MSDC. The Working Group will consist of:

The Chair, Cllr Douglas Denham St, Pinnock
The Vice-Chair, Cllr Martin Sheldon
Trevor Leggo
Cllr Peter Williams (Burgess Hill TC)
Cllr Duncan Pascoe (Haywards Heath TC)

Jennifer Nagy, Clerk to Worth Parish Council, was nominated as Clerks representative on the Working Party.

It was suggested that the Chair of the Horsham District Association (HALC) is invited to attend the first meeting of the WG as HALC has an excellent relationship with Horsham District Council.

ACTION: schedule a Zoom meeting for the WG and invite Jennifer Nagy and the Chair of HALC to attend.

5. To receive a report from MSALC's representatives on the WSALC Board and consider any recommendations.

As the next WSALC Board meeting is scheduled for 28th July, this item was deferred until the next meeting.

6. To receive an update on the MSALC accounts

Anna Beams advised that the process of setting up a new bank account with Lloyds is now complete and a cheque has been deposited for the sum of £1195.37. She explained that there is a vacancy for the role of signatory which will be appointed at the next meeting.

7. To consider any items raised by member councils received in writing.

No items received in writing that have not been previously discussed on the agenda.

8. Items raised by member councils.

Cllr Peter Williams (Burgess Hill TC): raised the matter of the forthcoming bio-diversity net gain becoming compulsory in development plans. Cllr Alison Stevenson agreed to produce a briefing paper to circulate to all members. [\(Appendix A\)](#)

Trevor Leggo: advised that Government invited ten Police forces to pilot an anti-social behaviour action plan for 13–18 year-olds. Sussex are one of the ten forces that will receive funding. The action plan would see youths demonstrating anti-social behaviour having to take part in schemes in the hope that it would improve and reduce the behavioural patterns. The police will need all councils to have schemes and projects ready in the event that the anti-social behaviour is in their area. Victim consultations will take place for those that have been subject to anti-social behaviour.

Trevor Leggo: reminded councils of their responsibility as an employer and their duty to protect staff from intimidation, bullying and harassment from both councillors and members of the public. He advised that an updated version of the NALC Good Employers Guide is available and to contact Anna Beams if you would like to purchase one.

Cllr Barry Theobald (Turners Hill PC): raised the issue of fewer GP practices accepting new patients and questioned whether part of the planning process should be to ensure that proper infrastructure is in place within new developments. Trevor Leggo explained that NALC recognise this as a national issue.

9. Date and format of next meeting

To be confirmed.

Meeting closed at 19:48

Signed:


D D PINNOCK (Nov 17, 2023 10:07 GMT)

Date: Nov 17, 2023

Appendix A

Biodiversity Net Gain (BNG)

Short Paper for MSALC

Changes from November 2023

1. What's BNG and what's new?

Advice and information on Biodiversity net gain (BNG) can be found on the government website and is a good place to start to understand the regulations and the requirements for developers and planning authorities. <https://www.gov.uk/government/collections/biodiversity-net-gain>

'Biodiversity net gain (BNG) is a way to contribute to the recovery of nature while developing land. It is making sure the habitat for wildlife is in a better state than it was before development.'

The new rules will be to provide habitat at 10% above baseline for new development. They are made via the Environment Act.

'This will apply from November 2023 for developments in the Town and Country Planning Act 1990, unless exempt. It will apply to small sites from April 2024.'

The habitat must be maintained for at least 30 years.

Developments will still have to mitigate for loss of habitat as before. Environmental Statements and existing licencing and consents via Planning Authorities, Natural England, the Environment Agency etc will still apply. The additional requirement in the new legislation is to provide more habitat than existed prior to the development or an enhanced habitat, such that a betterment is the norm. However there is still some vagueness on how the Act, guidance and regulations will work in practice, with some practitioners saying that regulations are needed rather than guidance to enable LPA's to enact the new rules.

2. Calculation of BNG

[Biodiversity metric: calculate the biodiversity net gain of a project or development - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/biodiversity-net-gain-of-a-project-or-development)

Biodiversity is measured using a 'metric'. It's a way of quantifying various types of habitat and weighing one type against another by calculating BNG 'units'.

'You can use the biodiversity metric to calculate how a development, or a change in land management, will change the biodiversity value of a site. For example, building houses, planting a woodland or sowing a wildflower meadow.'

You can use the metric to:

- assess the biodiversity unit value of an area of land
- demonstrate biodiversity net gains or losses in a consistent way
- measure and account for direct impacts on biodiversity
- compare proposals for a site - such as creating or enhancing habitat on-site or off-site'

The tool gives a value for each habitat taking into account such things as type, quality, rarity, significance and any existing designations. The tool is hosted on the Natural England website. <https://nepubprod.appspot.com/publication/6049804846366720>

There are some good case studies on the Natural England BNG page which give an idea of how a site would be accessed. For example [Case Study 1 - Residential Development - BM4.0.pdf](#) .

Note, there are separate rules for smaller sites of less than 10 residential units or 0.5hectares. These are explained on the same pages.

3. How to provide BNG

There are 3 ways to provide BNG and those are in hierarchy;

- Onsite as part of the development
- Offsite but in the locality either by the developer or by using someone else's land or initiative
- Buying credits the government will then use to create BNG nationally

As part of the later 2 the government website will be live for Land Managers to register their land for use by developers as BNG. <https://www.gov.uk/guidance/sell-biodiversity-units-as-a-land-manager>
Examples of a 'Land Manager' are listed as: is a landowner, a farmer, an estate owner, a local authority, a habitat bank operator, a facilities, property or estate manager, a land agent or a land advisor.

Land managers will be able to sell BNG units for off-site provision to developers, local authorities, a habitat bank operator, a broker or via a trading platform. They do not have to sell the land itself but they do have to commit to maintain the enhanced land for at least 30 years.

Anyone selling BNG units would need to professionally assess the existing habitat on the land to calculate the baseline and then assess what it would be after enhancement or habitat creation. They can then offer it up for prospective enhancement / habitat creation or they can carry out the enhancement and sell a readymade package, this is called habitat banking.

4. Commentary

The new regulations have to be a welcome strategy towards maintaining valuable habitat and, in applying uniform requirements to all developments, are a step change in environmental conservation.

The secondary impact of the requirements are that land owners who have tracts of environmentally valuable but undevelopable land, perhaps with special designations, will be able to monetarise the burden that maintaining those habitats can have. This can only be of benefit in the longer term. However, the hierarchy of provision on the basis of onsite, offsite locally and by buying units needs to be carefully applied. Attaining housing numbers is often prioritised over BNG provision on sites, and to some extent that is a valid stance. Setting aside some of the land area of a site for BNG only means another site will be developed to meet the overall housing quotas and habitat creation needs to be weighed very carefully to make sure the new legislation is not counter-productive. It will however make habitat creation an important and mandatory element in any development's planning and hopefully developers and planners will now integrate their plans better to connect and enhance existing habitats rather than just landscape. And it's and protected for 30 years.

What we as local stakeholders need to do is to make sure the system works locally and that the banking of land and the provision locally is applied appropriately on each site. That will I fear be a tricky as applying any planning policy and as equally down to officer decision.

Alison Stevenson – Balcombe Parish Council

August 2023

MSALC Minutes 18 July 2023

Final Audit Report

2023-11-17

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