



# Crawley Borough Council

## Minutes of Cabinet

Wednesday 14 January 2015 at 7.30pm

### Present:

|            |              |   |
|------------|--------------|---|
| Councillor | P K Lamb     | (Chair of Cabinet and Leader of the Council)                  |
|            | S J Joyce    | (Deputy Leader of the Council and Cabinet Member for Housing) |
|            | C C Lloyd    | (Cabinet Member for Environmental Services)                   |
|            | C J Mullins  | (Cabinet Member for Leisure and Cultural Services)            |
|            | C Oxlade     | (Cabinet Member for Community Engagement)                     |
|            | D J Shreeves | (Cabinet Member for Customer and Corporate Services)          |
|            | P Smith      | (Cabinet Member for Planning and Economic Development)        |

### Also in attendance:

Councillors K Brockwell, R D Burrett, D Crow, I T Irvine, M G Jones, G Thomas and W A Ward

### Officers Present:

|                 |                                     |
|-----------------|-------------------------------------|
| Ann-Maria Brown | Head of Legal & Democratic Services |
| Peter Browning  | Deputy Chief Executive              |
| Heather Girling | Democratic Services Officer         |
| Lee Harris      | Chief Executive                     |

### Apologies for Absence:

There were no apologies for absence.

### 59. Members' Disclosure of Interests

There were no disclosures of interest.

### 60. Minutes

The minutes of the meeting of the Cabinet held on [3 December 2014](#) were approved as a correct record and signed by the Chair.

### 61. Public Question Time

Public question time took place. A note of the questions and the Cabinet Members' responses are set out in **Appendix A** to these minutes.

**62. Further Notice of Intention to Conduct Business in Private and Notifications of any Representations**

It was reported that no representations had been received in respect of item 13 Proposed development by St Modwen including the CBC owned land east of Crawley.

**63. Matters Referred to the Cabinet**

It was confirmed that no matters had been referred to the Cabinet for further consideration.

**64. Response to Airport Commission Consultation on Additional Runway Options in the South East (Planning & Economic Development Portfolio)**

The Cabinet considered report [CEx/45](#) of the Chief Executive. The Cabinet Member for Planning and Economic Development introduced the report which summarised the findings of the Airports Commission's assessments, and set out the Borough Council's response to the Consultation. The report set out recommendations that would enable the Council to adopt an overall position in addition to responding on the technical issues. The report also noted the deadline for the full response to the Airports Commission of 3 February 2015.

The matter had been considered at the meeting of the Overview and Scrutiny Commission (OSC) held on 12 January 2015. Councillor Ward (in referring to the Commission's comment sheet to the Cabinet) outlined to the Cabinet the range of views expressed:

- All Members felt that it was an excellent report as it clearly outlined the impacts and concerns that needed to be considered at the Extraordinary Meeting of the Full Council, whilst also highlighting the large discrepancies and number of areas that had been neglected by the Airports Commission and Gatwick Airport Limited (GAL).
- Concerns expressed over the discrepancy between the unemployment rate stated by the Airports Commission, and the actual unemployment rate, together with the contradiction between the airport providing jobs for Crawley residents where there is a "good skills match" and also providing an increase of "apprenticeships". Concern that these apprenticeships should be for local residents.
- Concerns expressed regarding the transport infrastructure, both rail and road, particularly the impacts on the local road network which had not been assessed, highlighting the north west edge of town and toward Charlwood.
- It was felt that the Airports Commission's conclusions on the likely housing numbers, with huge ranges because of the scenarios, and their deliverability were questionable, particularly as Crawley already has large unmet housing need.
- Concerns expressed about the lack of recognition of the need for new infrastructure to support increased housing growth, including schools and health facilities, and the importance of securing funding and delivery, in advance of any construction and reconfiguration.
- Concerns raised that some issues (Forge Wood, and other facilities such as The Gatwick School and St Michaels and All Angels Church) appear to have been overlooked by the Airports Commission and for example where Outreach 3Way would be re-sited.
- Concerns expressed over air quality and noise as a result of increased road traffic, particularly as no assessment of road traffic noise had been undertaken by the Airports Commission.
- Concerns raised over the significant increase in air traffic noise as a result of a second runway, particularly central and northern neighbourhoods of the town.
- Concern expressed about the loss of trees, destruction of hedgerow and the general ecological damage.

All Members of the OSC felt there was now sufficient information and detail provided over the impact of a further runway on the Borough, and therefore Members should be in a position to take a specific view. The Commission believed that residents now sought a definitive statement as to the Council's intentions. As a result, all Members did not support recommendation 2.2 1a) and proposed that this recommendation be removed from the report.

It was thought any decision made would not preclude the Council working closely with Gatwick Airport, the Coast to Capital Local Enterprise Partnership (C2C LEP), the Environment Agency and other local authorities.

Members of the Commission believed that the detailed technical response to the Airports Commission should be a response from a collective group. It was strongly suggested to the Cabinet that a Working Group with wider membership be convened to agree the Council's full response to the Airports Commission, although it was acknowledged that timescales might prove problematic.

It was commented that there was a need for certainty regarding future safeguarding of land in Crawley.

The Commission proposed that all votes on the Response to the Airports Commission Consultation on Additional Runway Options in the South East should be taken without any form of Group whipping.

- The requests of the OSC for the Cabinet to note:
  1. That the Commission unanimously did not support the recommendation 2.2 1a) and it is proposed that this recommendation be removed.
  2. That the Commission requested the establishment of a Working Group as a means of agreeing the response to the Airports Commission.

Councillor Burrett welcomed the proposal from the OSC to remove recommendation 2.2 1a). He commented that even if individuals did not have a specific view, the fact that there were many different variables and the figures were dependent on different scenarios indicated that the Council should only be in a position to reject the second runway.

The Cabinet:

- Thanked the OSC for its comments. Due to the significant nature of the issues, the Cabinet supported the view of the Overview and Scrutiny Commission that all Members of the Council should not be whipped and should be given a free vote on this report at the Extraordinary Meeting of the Full Council on 26 January 2015.
- Confirmed that the technical issues would be incorporated into the full response to the Airports Commission.
- Verified that due to the Airports Commission deadline of 3 February 2015, there would be insufficient time to convene a working group in order to agree the full response to the Airports Commission. It was added that previous consultation had taken place and there was still sufficient time for Members to provide views on the Airports Commission's report.
- With regard to the proposed removal of recommendation 2.2 1a), it was commented that the recommendations allow Members a free vote which aids openness and transparency, rather than polarising the decision. It was added that the options within the recommendations would not alter the debate at the Special Full Council, instead they provided the option for further negotiation and investigation on the infrastructure, without weakening the Council's position. It was acknowledged that should the option to

maintain the current holding position be removed, this may reduce any negotiation terms. Therefore a holding positioning and awaiting further clarification and information might prove advantageous. In addition, retaining the recommendations allows for full participation of all Members. It was stated that the Council was still in negotiations and there were arrangements in place to continue to work with Gatwick Airport Limited (GAL), (particularly in terms of securing funding), in order to obtain the best possible outcome for the people of Crawley to include both residents and businesses, irrespective of the position of the second runway. The Cabinet were in agreement with recommendations 2-5 and agreed that Special Full Council would decide between options proposed in recommendation 1.

The Cabinet expressed its thanks to the officers, for producing such an excellent report which clearly and concisely set out the issues that needed to be considered by the Full Council.

## **RESOLVED**

1. That is it RECOMMENDED to the Extraordinary Meeting of the Full Council to be held on 26 January 2015 that:
  - a) The Full Council considers that the interests of Crawley residents and businesses are best served by the Council not taking a specific view on the second runway at this time.
  - b) If (a) is not supported, the Council considers which of the following options it supports to be put forward to the Airports Commission:
    - i) The Full Council considers that the interests of Crawley residents and businesses are best served by the Council objecting to a second runway being developed at Gatwick.
    - ii) The Full Council considers that the interests of Crawley residents and businesses are best served by the Council supporting in principle a second runway being developed at Gatwick.
2. Agree that, without prejudice to the decision in (1) above, the proposed responses on the individual topic areas outlined in section 5 in report CEx/45 be submitted to the Airports Commission, subject to a full, detailed technical response expanding on these issues being agreed by the Chief Executive in consultation with the Leader;
3. Agree that, without prejudice to the decision in (1) above, the proposed additional mitigations and infrastructure requirements set out in section 5 be submitted to the Airports Commission, subject to a full, detailed technical response expanding on these issues being agreed by the Chief Executive in consultation with the Leader;
4. Agree that the Borough Council, without prejudice to the decision in (1) above continues to work closely with Gatwick Airport, the C2C LEP, the Environment Agency and other local authorities on the future of the airport, whatever decision is made on the location of a new runway;
5. Agree that the Borough Council should highlight in its response to the Airports Commission the need for the Commission, and the Government to provide clarity at the earliest appropriate opportunity with regards to the need for future safeguarding of land in Crawley borough for additional runways if a second runway at Gatwick is not the recommended option.

### **Reason for Decision**

The current Consultation by the Airports Commission is the opportunity for the Council to comment and question the Commission's detailed assessment work to date, and to respond to the Commission's conclusions on the shortlisted options. The Commission is also inviting suggestions on how shortlisted schemes could be improved, through enhanced benefits or additional mitigation. Although the Council can adopt a position on airport expansion at any time, it is likely that this will be the final opportunity for the Council to feed into the Airports Commission's work, to provide local evidence to counter some of the Commission's conclusions, to highlight key issues which have not been addressed, and to identify additional infrastructure or mitigation that should be provided if a second runway at Gatwick is recommended. These detailed responses are important whatever position the Council takes about a second runway at Gatwick, but the recommendations also provide the opportunity for the Council to consider options in determining this view.

### **65. Town Hall Utilisation and Refurbishment (Customer and Corporate Services and The Leader's Portfolios)**

The Cabinet considered report [DC&PS/010](#) of the Director of Community and Partnership Services. The Cabinet Member for Customer and Corporate Services introduced the report which made recommendations designed to ensure the Council continued to optimise utilisation of the Town Hall complex, meeting the needs of both the Council and the residents it serves. It was added that some factors were already being addressed, for example enhancements to the front of the town hall.

The matter had been considered at the meeting of the Overview & Scrutiny Commission on 12 January 2015. The Commission's main comments had been:

- Support for the retention of the Town Hall as the Council's administrative centre.
- Recognition of the further income opportunities that could be gained through use of the Council chamber, committee rooms and other areas, whilst acknowledging that Council business would take precedence.
- Support for reconfiguration of the Town Hall, particularly the foyer, and the need to accommodate both staff and customers.
- Recognition that voluntary groups may be interested in occupying or co-locating within the Town Hall. However, it was thought that any opportunities could be associated with the annual grants programme.
- Encouragement that wider, detailed consultation will take place with staff and Members.
- Acknowledgement that the external design consultant will provide a detailed feasibility study, providing expertise and add value as a result of any proposed reconfigurations/refurbishments.
- Recognition that the Town Hall was now 50 years old and as a result the Overview and Scrutiny Commission proposed that the Cabinet consider investigating the possibility of locally listing the building.

The Commission endorsed the recommendations to the Cabinet and the Cabinet thanked the Commission for its comments.

The Leader of the Opposition, Councillor Crow, whilst welcoming the report, expressed disappointment that previous opportunities had not arisen from the Town Centre North project. He acknowledged that the current building was in need of investment, with a need to maximise opportunities for the future.

Cabinet Members commented that:

- Despite liaising and negotiating with developers in respect of Town Centre North, the prospect of a new town hall had not come to fruition and had not been an option for many years.
- It was important to improve the working conditions for both staff and Members and the refurbishment proposal would assist in improving energy efficiency and the effect on the environment.
- There were many options to consider in terms of income generation, which might include voluntary sector organisations interested in either occupying or co-locating within the Town Hall.

## RESOLVED

- 1) That the retention of the Town Hall as the Councils administrative centre be approved.
- 2) That the schedule of advance building, mechanical and electrical refurbishment set out in 5.2.2 of report DC&PS/010 be approved.
- 3) That a supplementary capital estimate of £460,000 funded from useable capital receipts for implementation of Phase 1 works be approved. That this sum be included in the capital programme that is approved by Full Council at its meeting in February 2015 as part of the budget report.
- 4) That the Head of Partnership Services be authorised to invite tenders for the appointment of a Design Consultant and in consultation with the Leader and the Head of Finance, Revenue and Benefits to accept the most beneficial tender and thereafter to enter into a contract with the successful Tenderer.
- 5) That Officers be authorised to commission a detailed feasibility and appraisal, including consultation and engagement with stakeholders on options for optimising utilisation of the Town Hall complex, for consideration by Cabinet in June 2015.

### Reason for Decision –

To ensure that the Council continues to optimise utilisation of the Town Hall complex, meeting the needs of both the Council and the residents it serves.

## 66. Amendments to the Under Occupation Incentive Policy (Housing Portfolio)

The Cabinet considered the report [CH/160](#) of the Head of Crawley Homes. The Cabinet Member for Housing introduced the report, which informed that following a review of the Under Occupation Incentive Policy, some changes had been proposed to its operation.

This matter had been considered at the Overview and Scrutiny Commission on 12 January 2015 and the following points were expressed:

- Concerns raised that the financial overspend should have been more widely highlighted.
- Acknowledgement that within the current policy, the financial incentive was not having a material impact. The motivation to move might result from other reasons so the incentive payment was not required.
- Recognition that the incentive pays more to tenants releasing the larger properties where there was lower demand on the housing register and pays less for the two bedroom properties with the higher demand.

- Recognition that the proposal provided a sensible solution, reducing the possibility of overspends, whilst maintaining a need to assist residents.
- Support for a review of the amended policy in 6 months' time, to include the number of people downsizing properties together with the number of rooms released.

The Commission agreed to endorse the recommendations to the Cabinet and the Cabinet thanked the Commission for its comments.

Councillor Burrett welcomed the proposal, whilst he suggested that the major overspend had been at the introduction of the policy and having dealt with that initial demand the overspend may become smaller over time. Additional information was requested on the reason why a tenant downsizing from a 4 or 3 bedroom to a 1 bedroom property would no longer receive more than a tenant downsizing from a 2 to a 1 bedroom property. In this connection, it was felt that a large group of tenants in 2 bedroom properties would want 3 bedroom properties.

It was also queried whether, following the introduction of the amended policy, the Council would now be inconsistent with other social landlords in terms of the incentives offered.

Cabinet Members commented that:

- Currently, the highest demand is for 2 bedroom properties.
- A maximum payment of £500 to assist with the reasonable costs of moving home would be at the discretion of officers.

## **RESOLVED**

That the following changes to the Under Occupation Incentive Policy be approved:

- a) Exclude tenants not transferring to a Council or Housing Association property within Crawley Borough.
- b) Replace the £500 per room released payment with a payment of £500 for downsizing (regardless of home size) and up to £500 to assist with moving costs if appropriate.

## **Reason for Decision**

- 1) The incentive is overspent. In 2013/14, £179,308 was paid out against a budget of £50,000. This current financial year 2014/15 the budget is already overspent with £65,198 spent from April to the end of November 2014.
- 2) The intention was to incentivise people to downsize who under occupy their property, but the incentive is paid to households who are moving for a variety of reasons.

## **67. Exempt Information – Exclusion of the Public**

### **RESOLVED**

That in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

**68. Proposed development by St Modwen including the CBC owned land east of Crawley (Planning and Economic Development Portfolio)**

***Exempt Paragraph 3 (financial and business affairs)***

The Cabinet considered report DTH/047 of the Deputy Chief Executive, which was introduced by the Cabinet Member for Planning and Economic Development. The report sought approval of the principle and the basis of the disposal of Council owned land situated to the east of the M23, and to the north of the A264, and formed part of the land for which St Modwen had obtained outline planning permission from Mid Sussex District Council for 500 homes.

**RESOLVED**

- 1) That authority be delegated to the Deputy Chief Executive to negotiate the detailed terms with St Modwen for the disposal of the Council's land described above, in consultation with the Leader, the Head of Legal & Democratic Services, Head of Finance, Revenues & Benefits, and the Head of Crawley Homes on the basis of paragraphs 6.1 to 6.4 in report DTH/047.
- 2) That the Deputy Chief Executive in conjunction with the Head of Legal & Democratic Services be authorised to seal and complete the Option Agreement on behalf of the Council.

**Reason for Decision**

This is a complex negotiation with St Modwen, a major house builder. The Council is looking to receive a capital sum, and a number of housing units.

**69. Closure of Meeting**

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.50pm.

P K LAMB  
Chair



## Appendix A

### Public Question Time

Set out below are the points made at Public Question Time along with the Cabinet Members' responses. All questions were in relation to the Response to Airports Commission Consultation on Additional Runway Options in the South East:

Mr Derek Meakings enquired whether all issues could be assessed, for example the cost of roads, prior to the Special Full Council meeting on 26 January 2015. He requested that all the concerns be documented in the full response to the Airports Commission.

The Leader, Councillor P Lamb, thanked Mr Meakings for his question and confirmed that the Council was currently working with WSCC in relation to costings and infrastructure in advance of the Airports Commission's deadline of 3 February 2015. It would be less likely that all the information would be prepared in time for the Special Full Council meeting but added that the Council would not be considering the technical issues.

Mr Peter Jordan stated that Crawley's motto was 'I grow and I rejoice'. Mr Jordan enquired how the Cabinet believed the town would grow as a result of the second runway, with particularly reference to housing, but also how would the Council rejoice following a decision. Councillor P Smith, Cabinet Member for Planning and Economic development thanked Mr Jordan for his question and commented that the Council was working under guidance in the National Planning Policy Framework (NPPF) and also the Local Plan's predicted needs in terms of identifying appropriate sites for future housing development. He added that the Council was working with neighbouring authorities to identify housing need and infrastructure.

Mr Robert Vygus, from the Langley Green Forum enquired as to the Council's plans for local roads and housing development. He raised concerns regarding the potential congestion on roads and urged the Council to have a definite plan in order to resolve these issues. The Leader, Councillor P Lamb, confirmed that the consultation period would end on 3 February and discussions were still taking place. He pointed out that it would be important to document the effects and concerns should the second runway be sited elsewhere but highlighted that assessing the needs of the town takes time. In addition, communication between all partners was required and this would be key.

Mr David Broadhead commented that currently Heathrow Airport had an embargo on night time flights between midnight and 6.00am. He enquired whether the Council would recommend a similar embargo at Gatwick should the second runway be sited there. The Leader, Councillor P Lamb, commented that whilst the overall decision on the second runway would be undertaken by Central Government and Gatwick were not seeking to change their night time quota, he would be keen to support a similar embargo at Gatwick and this concern could be included in the full response to the Airports Commission.