

Crawley Borough Council

Full Council

Supplementary Agenda

Wednesday, 21 February 2018

Anna Maria Brown

Head of Legal and Democratic Services

	Pages
2 Disclosures of Interest	3 - 6
<p>The enclosed are the disclosures received in advance of this meeting. Councillors can at this stage of the meeting make any further disclosures</p>	
4 Public Question Time	
<p>To answer public questions under Council Procedure Rule10</p>	
<ul style="list-style-type: none">• The Mayor will invite questions in turn, via the raising of hands. Prior notice of the questions is not required.• Each questioner may ask one question and a supplementary question (on the same subject)• Each questioner is asked to direct their question to the Mayor and provide their name and the ward they live in.• The questions must not be a statement, but must relate to the functions of the Council. The questions cannot be about an individual's personal circumstance or substantially be the same as a question raised in the past 6 months.• The Mayor may invite any Councillor to respond. No Councillor will speak more than once on a question and will confine their comments to responding to the question• Up to 30 minutes is allocated to Public Question Time.	



6 Items for debate (Reserved Items)

7 - 8

Enclosed are the items and recommendations indicated by each Group Secretary for which Councillors have reserved for debate.

Councillors can at this stage request further items to be reserved for debate.

The actual debating of the items will take place under Agenda Item - 8. Reserved Items. All other items will be received and recommendations moved enbloc during Agenda Item - 7. Minutes of the Cabinet, Overview And Scrutiny Commission and Committees.

8 Reserved Items

Note by Head of Legal and Democratic Services

Recorded Votes at this Annual Budget Meeting

The Full Council is reminded that regulations require all Councils at their annual budget meetings to adopt the practice of recorded votes - that is recording in the minutes of the meeting how each member present voted on any decision relating to the Annual Budget and Council Tax. This applies not only to Substantive Budget Motion to agree the Budget and setting Council Taxes, including Precepts, but also on any amendments proposed.

This related Budget and Council Tax, including Notice of Precept – (Recommendations 1 and 2), from the Cabinet of 7 February 2018, Minute 5, Page 58, 2018/19.

9 Councillors' Written Questions

9 - 12

To answer Councillors' written questions under Council Procedure Rule 11.3.

INFORMATION ON DURATION OF THE MEETING

If the business of the meeting has not been completed within two and a half hours (normally 10.00 p.m.), then the Mayor will require the meeting to consider if it wishes to continue for a period of up to 30 minutes. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue. (Following the meeting's initial extension, consideration will be given to extending the meeting by further periods of up to 30 minutes if required).

Should the vote be in favour of not continuing, there is a process for dealing with motions and recommendations which have not been dealt with within the two and a half hours, or at the expiry of any agreed extension(s). In these circumstances, such motions and recommendations will be deemed as formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way. If a recorded vote is called for during this process, it will be taken immediately.

This process will also apply in instances where the Council is statutorily required to make a decision about any matter before a particular date.

During the process set out above, the only other motions which may be moved are that a matter be withdrawn or referred to an appropriate body or individual for decision or report.

When all motions and recommendations have been dealt with, the Mayor will declare the meeting closed.

NOTE: The Mayor has agreed that, although this report and information was not available for at least five clear days before the meeting, there are special circumstances justifying its urgent consideration.

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Disclosures of Interest received from Members in advance of the meeting

Councillor	Item and	Meeting & Minute	Type and Nature of Disclosure
Councillor P C Smith	Planning Application CR/2017/0762/RG3 Haslett Avenue East and Land Adjacent County Mall, Crawley	Planning Committee 4 December 2017 – Minute 6, Page 30	Personal Interest – Member of Crawley Cycling Forum
Councillor Thomas	Planning Application CR/2017/0762/RG3 Haslett Avenue East and Land Adjacent County Mall, Crawley	Planning Committee 4 December 2017 – Minute 6, Page 30	Personal Interest – Member of Crawley Cycling Forum
Councillor P C Smith	Planning Application CR/2017/0765/RG3 Manor Royal (West of Crawters Brook), Northgate, Crawley	Planning Committee 4 December 2017 – Minute 7, Page 30	Personal Interest – Member of Crawley Cycling Forum
Councillor P C Smith	Planning Application CR/2017/0765/RG3 Manor Royal (West of Crawters Brook), Northgate, Crawley	Planning Committee 4 December 2017 – Minute 7, Page 30	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District
Councillor Thomas	Planning Application CR/2017/0765/RG3 Manor Royal (West of Crawters Brook), Northgate, Crawley	Planning Committee 4 December 2017 – Minute 7, Page 30	Personal Interest – Member of Crawley Cycling Forum
Councillor Burrett	Disabled Facilities Grant Policy	Overview and Scrutiny Commission 8 January 2018 – Minute 4, Page 30	Personal Interest – Member of WSCC
Councillor Cheshire	Disabled Facilities Grant Policy	Overview and Scrutiny Commission 8 January 2018 – Minute 4, Page 30	Personal Interest – Had previously been in receipt of a disabled facilities grant

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Councillor Lanzer	Disabled Facilities Grant Policy	Overview and Scrutiny Commission 8 January 2018 – Minute 4, Page 30	Personal Interest – Member of WSCC
Councillor Burrett	Scrutiny Panel Update	Overview and Scrutiny Commission 8 January 2018 – Minute 7, Page 30	Personal Interest – Member of WSCC
Councillor Lanzer	Scrutiny Panel Update	Overview and Scrutiny Commission 8 January 2018 – Minute 7, Page 30	Personal Interest – Member of WSCC
Councillor Burrett	Health and Adult Social Care Select Committee (HASC)	Overview and Scrutiny Commission 8 January 2018 – Minute 8, Page 30	Personal Interest – Member of WSCC
Councillor Burrett	Disabled Facilities Grant Policy	Cabinet 10 January 2018 – Minute 5, Page 40	Personal Interest – Member of WSCC
Councillor Skudder	Proposed Manor Royal Business Improvement District (BID) Renewal	Cabinet 10 January 2018 – Minute 6, Page 41	Personal Interest – Employee of Thales in Manor Royal.
Councillor P C Smith	Proposed Manor Royal Business Improvement District (BID) Renewal	Cabinet 10 January 2018 – Minute 6, Page 41	Personal and Prejudicial Interest – Local Authority Director of the Manor Royal Business Improvement District and Cabinet Member for Planning and Economic Development. <i>Councillor P Smith left the room for this item</i>
Councillor P C Smith	Planning Application CR//2015/0435/FUL – Land Parcel at Jersey Farm, County Oak Way, Langley Green, Crawley	Planning Committee 29 January 2018 – Minute 5, Page 46	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District.

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Councillor Lanzer	2018/19 Budget and Council Tax	Overview and Scrutiny Commission 5 February 2018 – Minute 4, Page 52	Personal Interest – Member of WSCC
Councillor Lanzer	Allocating Monies Collected Through Community Infrastructure Levy – Infrastructure Plan and Governance	Overview and Scrutiny Commission 5 February 2018 – Minute 6, Page 53	Personal Interest – Member of WSCC
Councillor Burrett	Establishment of and Appointments to Scrutiny Panels – Social Mobility Scrutiny Panel	Overview and Scrutiny Commission 5 February 2018 – Minute 7, Page 54	Personal Interest – Member of WSCC
Councillor Lanzer	Health and Adult Social Care Select Committee (HASC)	Overview and Scrutiny Commission 5 February 2018 – Minute 8, Page 54	Personal Interest – Member of WSCC
Councillor Lanzer	Health and Adult Social Care Select Committee (HASC)	Overview and Scrutiny Commission 5 February 2018 – Minute 8, Page 54	Personal Interest – Member of WSCC
Councillor B A Smith	Health and Adult Social Care Select Committee (HASC)	Overview and Scrutiny Commission 5 February 2018 – Minute 8, Page 54	Personal Interest – Member of WSCC
All Officers attending this meeting of the Full Council.	2018/19 Budget and Council Tax	Cabinet 7 February 2018 – Minute 5, Page 58	Personal Interest, as Officers of the Council in relation to the Pay Policy Statement.

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6. Items for debate (Reserved Items)

Minute Book Page no.	Committee/ Minute no. (and the Member reserving the item for Debate)	Subject (Decisions previously taken under delegated powers, reserved for debate only).	Subject (Recommendation to Council, reserved for debate)
P.54	Overview and Scrutiny Commission, 5 February 2018, Minute 7 <i>Conservative Group</i>	Establishment of and Appointments to Scrutiny Panels.	
P.58	Cabinet 7 February 2018 Minute 5 <i>Labour Group and Conservative Group</i>		Recommendation 1 Approval of 2018/19 General Fund Budget; Housing Revenue Account Budget; Capital Programme funding; Council's share of Council Tax increase; Pay Policy Statement.
P.59 & the Supplemental Agenda	Cabinet 7 February 2018 Minute 5 <i>Labour Group</i>		Recommendation 2 Council Tax Schedule 2018/19

Recommendations to Full Council not Reserved for Debate (Unreserved Items)

It will be moved by **Councillor Portal Castro (as the Deputy Mayor)**:-

That the recommendations to Full Council, which have not been reserved for debate be adopted under item 7 (2)

(Subject to any changes made at the meeting, the recommendations not reserved can be identified from the table below):-

Page no.	Committee/ Minute no.	Subject (Recommendation to Full Council, not reserved for debate).
P.59	Cabinet 7 February 2018 (Minute 9)	Treasury Management Strategy 2018/ 2019 (Recommendation 3)

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Councillors Written Questions to Cabinet Members and the Responses

Full Council – 21 February 2018

1. From Councillor Irvine to the Cabinet Member for Housing?

Question 1 –

Please give figures concerning the sale of Council houses as under:-

- a) *Number of houses sold.*
- b) *Market value of houses sold.*
- c) *Discount allowed as an amount and as a percentage.*
- d) *Number of houses sold below historic cost and amount below such cost.*

Response –

The position at 31 January 2018 was:-

- a) *10,938*
- b) *£622,380,292*
- c) *£265,150,000 (43%)*
- d) *753, & £4,770,472*

Question 2 –

For the 2017/18 Housing Budget, what are the estimated number of units of council housing, the estimated annual rent income and the resultant average weekly rent income per unit?

Response –

The number of units available for 2018/19 is estimated at 7745 after allowing for Right to Buy sales of as at the start of the year of 50, new Builds of 40 and buy backs of 3. The estimated rent for premises income is approximately £41.7 million excluding garages, giving an average weekly rent of £103.46.

Question 3 –

What is the estimated cost of Homelessness borne by the Housing Revenue Account and by the General Fund? What are these costs expressed in amounts per week for Council Tenants (52 week year) and for the average property (Band C) in Crawley (52 week year)?

Response –

The cost of hostel accommodation in 2018/19 borne by the Housing Revenue Account is estimated to break even.

The cost of Homeless accommodation in 2018/19 borne by the General Fund is estimated to be £1,141,080 which is equivalent to 72 pence per week for the average property (Band C).

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2. From Councillor Peck to the Cabinet Member for Environmental Services and Sustainability:

Question –

Since the current Labour Administration was formed in June 2014, how many fines has the Council issued for the anti-social activities of littering and dogfouling?

Response –

The Council does not have the power to fine only the Courts can impose a fine. The Council has the power to issue fixed penalty notices. If a payment on a fixed penalty notice is not paid then the Council can prosecute.

No actual Fixed Penalty Notices have been issued, as the Council's approach is to request via a warning that the litter or dog foul is picked up. If the warning were not responded to then a fixed penalty notice would be issued but no one has refused to comply. The benefit of this approach is that the litter/dog foul is removed immediately by the person who dropped it there. The number of instances is as follows:

April 14 to March 15 – 88 warnings issued for littering/ 5 warnings issued for dog fouling

April 15 to March 16 – 119 warnings issued for littering/ 9 warnings issued for dog fouling

April 16 to March 17 – 204 warnings issued for littering/ 7 warnings issued for dog fouling

April 17 to January 18 – 203 warnings issued for littering/ 14 warnings issued for dog fouling

3. From Councillor Eade to Cabinet Member for Planning and Economic Development?

Following the report presented to the Council's Overview and Scrutiny Commission about Identifying and Monitoring HMOs (Houses of Multiple Occupation) in Crawley:

Question 1 –

Which residential areas have been identified as areas of concern where the density of HMOs is higher than average?

Response –

The density of HMOs in any given area is not a concern in itself. Indeed HMOs play an important role in meeting housing need, particularly for the under 35 age group. The concern arises if there are detrimental impacts associated with these HMOs on the wider community – for example persistent anti-social behaviour. Inevitably the type of property in a particular area may lend itself more to conversion into an HMO and therefore a higher percentage of HMOs may be expected in areas with, for example, more three storey town houses. Resident concerns have been expressed about the concentration of HMOs within the Furnace Green area – specifically in Aintree Road and Epsom Road. Impacts cited include parking pressures and anti-

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social behaviour – the latter being sporadic and associated with a specific individual(s) rather than of a persistent nature.

Question 2 –

What is the percentage of HMOs within these area?

Response –

The majority of HMOs do not currently require either licensing or express planning permission. Comprehensive statistics on numbers and locations are held only for those HMOs the Council is aware of either through licensing or other local knowledge. Of the 41 properties in Aintree Road there are 6 licensed HMOs and the Council is aware of a further 4 which do not require licensing. For Epsom Road with a total of 47 properties there are 3 licensed HMOs with a further licence application pending.

In respect of the HMOs the Council is aware of, the percentage would be determined by how widely the boundary of the 'area' is drawn. If this is considered in the context of the percentage of properties within each individual road this would be 24% for Aintree Road and 6% for Epsom Road. Typically however areas are more broadly set and cover a grouping of roads. Taking Aintree Road and Epsom Road together as an area the concentration would be just under 15% overall.

Question 3 –

Some councils set a limit of HMOs at 10% within a 100m radius of where they are most concentrated. Does the Council have a limit and if so, what is that limit?

Response –

Where quantitative thresholds for acceptable concentrations of HMOs are set, a common approach is to define a circle with a given radius around the property in question and then set a maximum percentage for the proportion of properties within that circle that can be HMOs. A threshold of 10% within a radius of 100m may be used, although there are variations on this with thresholds up to 35% in some areas where this approach has been applied. Where such limits exist they are typically imposed via the planning system, either through planning policy or supplementary guidance supporting a relevant policy. The Council's planning policy in respect of HMOs (Policy H6 of the Crawley Local Plan 2015-2030) does not set a quantitative threshold for determining an acceptable concentration of HMOs, but does identify the 'cumulative impact' of new HMOs on the 'character of the area and the amenity and privacy of neighbouring properties' as a relevant factor in deciding whether to grant planning permission.

Planning policies such as Policy H6 and other policies which specify quantitative thresholds only affect HMOs which require planning permission. Since 2010 national Permitted Development rights have allowed houses to convert to HMOs with up to 6 unrelated residents without planning permission, unless an Article 4 Direction is in place removing those rights in the relevant area. Since this time no planning permissions have been granted for larger HMOs (of more than 6 residents) on Aintree or Epsom Roads. The 'small' HMOs, in the absence of an Article 4 Direction, lie outside the scope of the Council's planning control.

Typically, but not exclusively, Article 4 Directions have been used in Local Planning Authority areas where there are either significant concentrations of HMOs, for example in university or coastal towns or where there is a risk of the concentration of HMOs escalating due to, for example, the opening of a new university campus.

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Question 4 –

What steps are undertaken to identify which HMOs are exceeding their limits of residents by allowing couples to share a room?

Response –

Where HMOs are subject to licensing (i.e. have three storeys, five or more occupants forming two or more households) they are inspected at the point of issuing and renewing the licence and the number of occupants is checked at each visit. Further checks (whilst the licence is operational) are only carried out in response to a complaint (about disrepair or overcrowding for example) where a visit/inspection is required. Where overcrowding is found, appropriate action is then taken to resolve the matter.

Where HMOs are not subject to licensing, the factors that restrict occupation are the facilities present and the size of the rooms. HMOs not subject to licensing are not subject to a programmed inspection regime as there is no legal duty to notify the Council of their presence. Therefore the Private Sector Housing Team only visit these properties where a complaint has been made (about disrepair or overcrowding for example) and a visit/inspection is required. Where overcrowding is found, appropriate action is then taken to resolve the matter.

The scope of mandatory licensing is to change later this year as two storey HMOs with five or more occupants forming two or more households will require a licence. This will introduce the ability to restrict occupation in the same way as other licensable HMOs and will allow local authorities greater regulatory control over conditions within smaller HMOs and will also enable the quantum of HMOs to be more accurately mapped. The additional demand this will generate will have resource implications for the Council which are currently being assessed. These will be offset in part by increased income generation through licence fees.