

# **COUNCILLORS' INFORMATION BULLETIN**

Tuesday, 19 March 2024

**Bulletin No: IB/1225** 

INFORMATION ITEM	Pages
1 Delegated Planning Decisions	3 - 6
Delegated planning decisions for the week beginning 11 March 2024 are attached. Contact for enquiries: Jean McPherson, Group Manager (Development Management) on <a href="mailto:jean.mcpherson@crawley.gov.uk">jean.mcpherson@crawley.gov.uk</a> .	
2 Temporary Traffic Regulation Orders	7 - 16
<ul> <li>The following documents are attached in relation to Temporary Traffic Regulation Orders:</li> <li>List of Temporary Traffic Regulation Orders.</li> <li>Station Hill, Pound Hill (Appendix A).</li> <li>Ifield Wood, Ifield (Appendix B).</li> <li>Spring Plat, Pound Hill (Appendix C).</li> <li>Capsey Road, Guinevere Road, Peverel Road, Fairway and Tern Road, Ifield (Appendix D).</li> </ul>	
Cancellation of Planned Road Closure: Stagelands, Langley Green	17 - 18
The road closure scheduled to take place at Stagelands, Langley Green will no longer be going ahead. The original notice is attached.	
4 Response to Questions and Actions Arising from Meetings of the Full Council	19 - 22
The response to questions and actions arising from the recent meeting of the Full Council are attached.	



01293 438000

<u>crawley.gov.uk</u> <u>democracy.crawley.gov.uk</u> Town Hall The Boulevard Crawley West Sussex RH10 1UZ

5	Section 106 Monies Committed	23 - 24
	Developers are often required through Section 106 planning agreements to make financial contributions towards the provision or improvement of infrastructure if a need is generated by the new developments. These monies must be spent as set out in the planning agreements and in accordance with government guidance.	
	For Councillors' information, attached are the details of the latest projects to which S106 developer funds have been committed from funds collected under the Transport and Libraries categories.	
6	Pre-Election Period Guidance for Councillors and Officers	25 - 32
	A guidance note on the pre-election period is attached.	
7	Consideration Report: Modern Slavery and Human Trafficking Transparency Statement: 2024/2025	33 - 40
	Consideration report FIN/656 of the Head of Corporate Finance is attached.	
8	Consideration Report: Future Acquisitions for Affordable Housing Delivery Relating to Resolutions (b) and (d) of Report CH/201	41 - 44
	Consideration report CH/205 of the Head of Crawley Homes is attached for Councillors only.	
9	Consideration Report: Temporary Accommodation Modular Housing Solution relating to resolution (c) of Report SHAP/81	45 - 48
	Consideration report SHAP/089 of the Head of Strategic Housing is attached for Councillors only.	
10	Staff Changes: February 2024	49 - 50
	Information is attached for Councillors only.	
11	Press Releases	
	Press releases are available at <a href="https://www.crawley.gov.uk/news">www.crawley.gov.uk/news</a> .	

## **CRAWLEY BOROUGH COUNCIL**

## **DELEGATED PLANNING DECISIONS**

The following decisions were issued, subject to conditions, under delegated powers for the period 11/03/2024 and 15/03/2024

Application Number	Location	Proposal	Date of Decision	Decision
CR/2022/0503/CC6	1-19 (ODDS) CROMPTON WAY, NORTHGATE, CRAWLEY	Discharge of condition 14 (network ready condition) pursuant to CR/2022/0503/FUL for demolition of existing buildings and erection of 3no buildings for use class b8 including details of access, servicing, landscaping and boundary	11 March 2024	APPROVE
		Treatments, and associated infrastructure and earthworks (amended description)		
CR/2023/0348/FUL	20 TUSHMORE LANE, NORTHGATE, CRAWLEY	Adaptation of existing single storey flat roof extension and construction of a two storey side and single storey rear and front extensions to existing house in multiple occupation (HMO) creating a 10 x bedroom HMO	15 March 2024	REFUSE
CR/2023/0489/FUL	3 WOODLANDS, POUND HILL, CRAWLEY	Erection of first floor front and rear extension	14 March 2024	PERMIT
CR/2023/0494/FUL	75 THREE BRIDGES ROAD, THREE BRIDGES, CRAWLEY	Erection of outbuilding in rear garden	14 March 2024	PERMIT
CR/2023/0573/FUL	7 BRIAR CLOSE, LANGLEY GREEN, CRAWLEY,	Erecton of single storey rear extension	13 March 2024	PERMIT
CR/2023/0579/FUL	5 WOOLBOROUGH ROAD, NORTHGATE, CRAWLEY	Demolition of existing bungalow and erection of a block of six flats with associated parking and landscaping	11 March 2024	REFUSE

Application Number	Location	Proposal	Date of Decision	Decision
CR/2023/0598/ADV	NATIONWIDE BUILDING SOCIETY, GROUND FLOOR, 58 - 60 THE BOULEVARD, NORTHGATE, CRAWLEY	Retrospective advertisement consent for 1x projecting sign, 1x fascia sign, 2x atm surrounds and 1x window message "a good way to bank"	12 March 2024	CONSENT
CR/2023/0601/FUL	OUR LADY QUEEN OF HEAVEN CATHOLIC PRIMARY SCHOOL, HARE LANE, LANGLEY GREEN, CRAWLEY	Erection of front extension and entrance canopy	12 March 2024	PERMIT
CR/2023/0611/TPO	43 MOUNT CLOSE, POUND HILL, CRAWLEY	T1 Oak - reduce height and crown radius by a maximum of 2 metres to nearest suitable growth points (amended description)	14 March 2024	CONSENT
CR/2023/0627/TPO	28 BELLAMY ROAD, MAIDENBOWER, CRAWLEY	Oak on left hand side of house boundary - remove stem growth below lowest main limb, crown lift to give 6 metres clearance over carriageway by removing secondary branches only, reduce height and crown radius by a maximum of 2 metres to nearest suitable growth points (amended description)	14 March 2024	CONSENT
		Oak in rear garden - reduce height and crown radius by a maximum of 2 metres to nearest suitable growth points (amended description)		
CR/2023/0634/TPO	LAND ADJACENT TO 170 BUCKSWOOD DRIVE, GOSSOPS GREEN, CRAWLEY	0u02 Ash - fell 0tzp Ash - fell 0tzt Ash - fell 0tzt Ash - fell 0tzu Oak - reduce crown by 3 metres	13 March 2024	CONSENT
CR/2023/0654/TPO	STRIP OF LAND BETWEEN NOS 34 & 36 TUSHMORE LANE, NORTHGATE, CRAWLEY	Oaks x 2 on council owned land - reduce branches overhanging no. 34 by a maximum of 2 metres to nearest suitable growth points to give clearance from house and telephone/power lines; reduce branches overhanging no. 36 by a maximum of 2	14 March 2024	CONSENT

Application Number	Location	Proposal	Date of Decision	Decision
		metres to nearest suitable growth points to give clearance from house and driveway (amended description)		
CR/2023/0730/FUL	15 WEALD DRIVE, FURNACE GREEN, CRAWLEY	Erection of single storey front and side extensions with pitched roof above and over existing garage	11 March 2024	PERMIT
CR/2023/0732/FUL	45 MILTON ROAD, POUND HILL, CRAWLEY	Erection of single storey rear extension	15 March 2024	PERMIT
CR/2024/0051/FUL	14 THE MARTLETS, NORTHGATE, CRAWLEY	Demolition and creation of new shop front	14 March 2024	PERMIT
CR/2024/0089/TPO	9 HEXHAM CLOSE, POUND HILL, CRAWLEY	Scots Pine - fell to ground level. Replacement lime tree to be planted between scots pine and first of the line of lime trees	15 March 2024	CONSENT
CR/2024/0095/TPO	8 HEXHAM CLOSE, POUND HILL, CRAWLEY	T3, T4, and T5 limes - re pollard to previous pollard points by approximately 3-4 metres	15 March 2024	CONSENT
CR/2024/0109/TCA	ANVIL, IFIELD STREET, IFIELD, CRAWLEY	Oak in rear garden - 1 metre crown reduction  Yew in rear garden - 1 metre crown reduction	13 March 2024	NO OBJECTION
CR/2024/0122/TCA	ST JOHNS CHURCH, CHURCH WALK, NORTHGATE, CRAWLEY	170403, 170406, 170409, 170412, 170415, 170418, 170421, 170424, 170427, 170430, 170433, 170436 small leaved Limes - repollard	13 March 2024	NO OBJECTION
		170466 Austrian Pine - reduce co-dominant stem nearest to the roadside by approximately 2.5 to 3 metres		
		170472 small leaved Lime - repollard		
		170478 - fell		

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Application Number	Location	Proposal	Date of Decision	Decision
		170484 small leaved Lime - removal of hung up tree		

## **List of Temporary Traffic Regulation Orders**

The following documents are attached in relation to Temporary Traffic Regulation Orders:

- Station Hill, Pound Hill (Appendix A).
- Ifield Wood, Ifield (Appendix B).
- Spring Plat, Pound Hill (Appendix C).
- Capsey Road, Guinevere Road, Peverel Road, Fairway and Tern Road, Ifield (Appendix D).





## **PUBLIC NOTICE**

#### Temporary closure of Station Hill, Pound Hill, 8th April 2024.

**NOTICE IS HEREBY GIVEN** that from the date specified below, West Sussex County Council has temporarily closed to all traffic, Station Hill, Pound Hill, in the Crawley District (B) under Section 14(2) of the Road Traffic Regulation Act 1984, as amended, on Station Hill for a distance approx 105 metres.

The temporary closure is scheduled to commence on 8th April 2024 for up to 5 days (it is estimated to be completed on 8th April 2024) and is required for the safety of the public and workforce while Enerveo undertakes a Overnight road closure, required to allow Enerveo to undertake repairs to lamp post.

The restriction will be in place overnight only from 21:00 until 23:59

An alternative route will be signed on site but please visit https://one.network/?tm=137164744 for more details.

Access maintained for emergency services, residents and pedestrians.

For information regarding this closure please contact Enerveo on behalf of West Sussex County Council on 07584 313951 who will able to assist with scope of these works.

Dated: 24th January 2024

Matt Davey

Assistant Director of Highways, Transport and Planning

#### **West Sussex County Council**

Report a problem with a road or pavement or raise a highways related enquiry

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Email: ttro@westsussex.gov.uk



# Agenda Item 2 Appendix b



Please be advised that West Sussex County Council has received a request for Temporary Traffic Regulation as follows:

Road Name	Ifield Wood		
Village/Town/Parish	lfield, Rusper CP		
Specific Location	Ifield Wood, Ifield		
Reason for TTRO	Daytime road closures between Charlwood Road and Hillybarn Road for pole replacement works		
Proposed Start Date / Time	Date: 29th May 2024	Time: 09:30	
Proposed End Date / Time	Date: 30th May 2024	Time: 17:00	
The restriction will be effective	Day-time only from 09:30 to (time) 17:00		
Access arrangements	Access maintained for emergency services, residents and pedestrians		
Applicant name	Road Traffic Management Ltd on behalf of BT		
Applicant contact tel number	01634 966884		
Any other details	For more information about this proposed TTRO please visit: https://one.network/?tm=137906213		

The application is currently being processed and you will be advised further when details are confirmed.

Yours faithfully,

West Sussex County Council

Streetworks Team

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Email: ttro@westsussex.gov.uk



# Agenda Item 2 Appendix c



Please be advised that West Sussex County Council has received a request for Temporary Traffic Regulation as follows:

Road Name	Spring Plat	
Village/Town/Parish	Crawley	
Specific Location	Spring Plat, Crawley	
Reason for TTRO	Daytime road closure outside property Meadowbank for carriageway patching works	
Proposed Start Date / Time	Date: 7th June 2024 Time: 09:30	
Proposed End Date / Time	Date: 7th June 2024	Time: 15:30
The restriction will be effective	Day-time only from 09:30 to (time) 15:30	
Access arrangements	Access maintained for emergency services, residents and pedestrians	
Applicant name	West Sussex County Council	
Applicant contact tel number	01243 642105	
Any other details	For more information about this proposed TTRO please visit: https://one.network/?tm=137871824	

The application is currently being processed and you will be advised further when details are confirmed.

Yours faithfully,

West Sussex County Council

Streetworks Team

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Email: ttro@westsussex.gov.uk



# Agenda Item 2 Appendix d



Please be advised that West Sussex County Council has received a request for Temporary Traffic Regulation as follows:

Road Name	Capsey Road, Guinevere Road, Road, Fairway, Tern Road	Peverel	
Village/Town/Parish	_		
Specific Location	Capsey Road, Guinevere Road, Peverel Road, Fairway, Tern Road, Crawley		
	24 Hour a day road closures to SGN to undertake gas main replacement.	allow	
	Capsey Road - XW015W120 00577: 13/05 - 03/06, at Juncti Hyde Drive.		
	<b>Guinevere Road -</b> <b>XW015W120102940-00568</b> : 03/06, at Junction with Hyde Dr		
Reason for TTRO	<b>Peverel Road - XW015W120 00572</b> : 20/05 - 03/06, at Juncti Hyde Drive.		
	Fairway - XW015W120102888- 00558: 20/05 - 14/06, between junction with Puffin Road and junction with Hyde Drive.		
	<b>Tern Road - XW015W120102 00566</b> : 01/07 - 29/07, Number Junction with Fairway.		
Proposed Start Date / Time	Date:13th May 2024	Time:	
Proposed End Date / Time	Date: 29th July 2024	Time:	
The restriction will	24 hours		
be effective			
Access arrangements	Access maintained for emergency services, residents and pedestrians		
Applicant name	SGN		
Applicant contact tel number	08009 121700		
Any other details	For more information about this proposed TTRO please visit: https://one.network/?tm=137595291		

The application is currently being processed and you will be advised further when details are confirmed.

Yours faithfully,

West Sussex County Council

Report a problem with a road or pavement or raise a highways related enquiry Agenda Item 2 Appendix d

 ${\sf Email:} \ \underline{\sf ttro@westsussex.gov.uk}$ 



Please be advised that West Sussex County Council has received a request for Temporary Traffic Regulation as follows:

Road Name	Stagelands		
Village/Town/Parish	Crawley, Langley Green		
Specific Location	Junction of Rushetts Road, Stagelands, Crawley		
Reason for TTRO	Overnight road closure, required to allow BT to undertake access to underground network for new customer connection.		
Proposed Start Date / Time	Date: 17th April 2024	Time: 19:00	
Proposed End Date / Time	Date: 18th April 2024	Time: 06:00	
The restriction will be effective	Night-time only from 19:00 to 06:00		
Access arrangements	Access maintained for emergency services, residents and pedestrians		
Applicant name	Sunbelt Rentals on behalf of BT		
Applicant contact tel number	03700 500792		
Any other details	For more information about this proposed TTRO please visit: https://one.network/?tm=137312138		

The application is currently being processed and you will be advised further when details are confirmed.

Yours faithfully,

West Sussex County Council

Streetworks Team

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Email: <a href="mailto:ttro@westsussex.gov.uk">ttro@westsussex.gov.uk</a>



## RESPONSE TO QUESTIONS AND ACTIONS ARISING FROM MEETINGS OF THE FULL COUNCIL

Question asked at meeting	Response Given at Meeting	Further Response
Councillor Pendlington to the Cabinet Member for Public Protection  Please could we have a brief update on how the car cruising PSPO is going?	Response Given at Meeting  Councillor Y Khan as the Cabinet Member for Public Protection  So far there have been no complaints and there have also been no fines issued, but I can check and look into it further. If you are referencing Pound Hill and Gatwick I am aware of those.	I have not received any reports concerning car cruising activity since October 2023, reports prior to this was predominately from cars in Sainsbury's car park. We were able unable to evidence a breach of the PSPO, therefore Sainsbury's were providing registrations numbers so we could obtain registered keeper details and issue them with a Community Protection Notice Warning for misuse of the car park.  I have contacted the Police to check whether they are still receiving reports, they have responded with the following information:  Between October 2023 and January 2024 the Police received the following reports:  1. 3 cars racing on Crompton Way on 17/10/23 – No vehicle registrations provided
		5. Over 100 people present watching cars racing on Whittle Way on 02/12/23 – No vehicle registrations provided.

Question asked at meeting	Response Given at Meeting	Further Response	
		6. 4 or 5 Cars revving engines in the leisure park on 12/01/24.	
		We will continue to respond to reports of car cruise activity, we do need vehicle registrations numbers and evidence of a PSPO breach to be able to issue a Fixed Penalty Notice, the evidence ideally needs to be witnessed by a Police Officer/ Council staff or captured on CCTV.	
Councillor Ayling to the Cabinet Member for Leisure and Wellbeing	Councillor C Mullins as the Cabinet Member for Leisure and Wellbeing	Repairs to the surrounds of the sandpit at Bewbush pocket park have been completed and it will be refilled with sand on the 19 March so will be open for use shortly thereafter.	
The sandpit in Bewbush pocket park has been out of action. Please can you let us know when it will be repaired?	Unfortunately the sandpit was closed due to structural damage which made it unsafe for children to play in. It can't be reopened until the repairs are complete and it is refilled with sand - I have not got a timescale but I can check that and let you know. The intention is to refurbish it as soon as possible.		
Councillor Lanzer to the Cabinet Member for Housing	Councillor Irvine as the Cabinet Member for Housing	a) June 2019	
<ul> <li>a) On what date was the decision implemented to augment housing sub-contractor sickness pay arrangements with funds from the HRA (Housing Revenue Account)?</li> <li>b) Can you please remind Full Council of the objectives of this policy and advise how the</li> </ul>	The decision referred to was implemented in July 2019. The objectives behind the decision are a matter of record, but for ease a link to the original report can be found here (Private Pack)Agenda Document for Full Council, 17/07/2019 19:30 (moderngov.co.uk). The outcomes have not deviated from the intended objectives. As per the report, budgets were increased by £100,000 for this change. The information	<ul> <li>b) The objectives behind the decision are a matter of record, but for ease the original report can be viewed by Councillors only using this link (Private Pack)Agenda  Document for Full Council, 17/07/2019  19:30 (moderngov.co.uk). The outcomes have not deviated from the intended objectives.</li> <li>c) Budget increased by £100,000 pa. Actual sickness costs below by contractor. Impacted by Covid between 2020 and 2022.</li> </ul>	

Question asked at meeting	Response Given at Meeting	Further Response	
outcomes obtained compare with the original intentions?  c) What has been the total sum allocated and paid to each housing sub-contractor by financial year to augment their sickness pay arrangements?	requested includes the current year and whilst work is underway to provide this it has not been possible to complete within the timeframes. This information will be published subsequently within the Members Information Bulletin.	Cost of sickness is greater than the increase in allocated budget. Contracts are run on open book and greater pressures on budgets are associated with increase in cosper repair and increase in volume of repairs	
		Year (financial year)	Wates
		2019/20	Pre-contract – no data
		2020/21 (part year)	£43,169
		2021/22	£103,939
		2022/23	£102,425
		2023/24 (year to date)	£44,116
		Year (calendar)	Mears
		2019 (Mitie)	£3,939.74
		2020	£121,381
		2021	£118,806
		2022	£196,787
		2023	£153,713
		Year (financial year)	Liberty
		2019/20	£12,801
		2020/21	£23,796
		2021/22	£13,803
		2022/23	£21,719
		2023/24 (year to date)	£11,702

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#### **Section 106 Monies Committed**

Developers are often required through Section 106 planning agreements to make financial contributions towards the provision or improvement of infrastructure if a need is generated by the new developments. These monies must be spent as set out in the planning agreements and in accordance with government guidance.

For Councillors' information, below are the details of the latest projects to which S106 developer funds have been committed from funds collected under the Transport and Libraries categories.

#### **S106 Category: Transport**

#### Car Club

As part of the planning conditions for Geraint Thomas House, a S106 contribution was collected to be used to contribute towards the provision and implementation of a Car Club on or near to the Development to benefit its residents. A dedicated parking space outside the front of the development has also been allocated. The Car Club car can also be used by any Crawley resident or business.

A total of £20,007 has been collected towards this purpose. To date £17,664 has been spent on providing a car club for a period of 3 years, due to complete in 2024. It is proposed that the remaining £2,343 Section 106 money for Geraint Thomas House is spent on boosting membership uptake of the Car Club by creating a digital advert for use on display screens including Queens Square and bus shelters around the town. Any remaining money will be used for social media advertising. To complement this promotion, Co Wheels is to provide a time limited offer to residents. It is anticipated that this promotion will boost utilisation so that when the 3-year funding comes to an end, the Car Club Car will be able to continue to operate without further financial support.

#### **Station Gateway**

£76,182.16 of S106 Transport monies currently held by Crawley Borough Council are being used as match funding towards the Station Gateway Public Realm Improvement scheme, as part of the Crawley Growth Programme.

The S106 monies will specifically be used as a contribution towards the design costs of the scheme. The design work will focus on the Martletts – Haslett Avenue West – Friary Way public realm, a new segregated cycle path on Station Way and the Friary Way bus station upgrade, including changes to the junction at Friary Way. This will support the overall aim of transforming this key Gateway into Crawley.

#### Route 200

In February 2021 the council's planning committee resolved to grant the Gatwick School in Crawley permanent planning permission. The main bus route for the school is the Route 200 buses and it is anticipated that growth in pupil numbers at the school will mean that the capacity of these two Route 200 buses will be exceeded.

A developer contribution of £84,000 has been received to support an additional service, operated by Metrobus, on route 200 during the morning peak hour during school term time to arrive at Gatwick Road North between 08:00 and 08:20 for three years. It is anticipated that during the three-year period the general demand for the Route 200 bus service will grow as residential development along that route occurs and in consequence of passengers discovering the additional service and switching to bus travel such that Metrobus will at the

end of the three years be in a position to consider running the service without subsidy to and from Gatwick School.

**S106 Category: Libraries** 

## **Crawley Library Improvements**

£17,515.33 of S106 Libraries monies currently held by Crawley Borough Council are being used by the library service, who are programming a phase 2 package of improvements at Crawley Library. The project will consist of a new reception desk on the ground floor and associated ground floor layout revisions to meet additional demand.

# <u>Pre-Election Period Guidance for Councillors and Officers</u> (Borough & PCC Elections 2024)

The Pre-Election Period (period of heightened sensitivity) applies from Tuesday 26 March 2024 up to and including Thursday 2 May 2024 (Polling Day)

Set out in this note is Guidance around the Pre-Election Period. This is the period between the publication of the Notice of Election and the date of the Election itself which will commence on <u>Tuesday 26 March 2024 and conclude after Thursday 2 May 2024 Polling Day</u>. During this period, extra care needs to be taken with regard to local authority publicity.

## **Introduction**

This guidance sets out the Pre-Election Period restrictions which are governed by the Relevant Provisions of The Local Government Act 1986 and the Code of Recommended Practice on Local Authority Publicity. Essentially Councils should "not publish any material which, in whole or in part, appears to be designed to affect public support for a political party." This period is also known as the period of heightened sensitivity.

There is a duty to have regard to The Code of Recommended Practice on Local Authority Publicity at all times.

Councillors and Officers must ensure that they do not breach or give the impression of breaching these restrictions. To do so could have electoral and reputational implications for any Member standing for election and for the Council itself.

The Council should not issue any publicity which seeks to influence voters.

During an election campaign, the Council must continue operating and providing services and the Councillors whether they are standing for election or not remain in charge of the Council. Essential business of the Council should continue.

However, there are some restrictions that apply during the Pre-Election Period which have an impact on the carrying on with business, the issuing publicity and the use of premises by candidates.

#### What this means in Practice

- The primary restriction is on proactive publicity by the Council which particularly relates to candidates and other politicians involved directly in the election.
- Councillors cannot at any time use Council resources for party political purposes.
- All Councillors whether seeking re-election or not should have regard to the Code of Practice on Local Authority Publicity and the restrictions during the Pre-Election Period.

- The Council must carefully consider any publicity that it sends out and what the impact of that
  publicity might be in accordance with the Code of Practice on Publicity.
- The Council can still issue media releases on factual matters provided these do not identify individual councillors or groups of councillors.
- Councillors are still free to respond to enquiries received from the media in a **personal** capacity.
- Individual Councillors can issue their own statements, write letters to the local newspaper(s)
  for publication, contact the media directly or say what they like in a personal capacity, but
  must not use Council resources to do so.
- Councillors can continue to tweet or blog but must not use Council resources (Council twitter accounts, email accounts, Council IT equipment, telephones, etc.) to do so

The principles underlying the behaviour of Councillors and Officers during this time are simply an extension of those that always apply. These are set out in the <u>Code of Conduct for Councillors</u>, <u>Officers' Code of Conduct</u> and <u>Protocol on Councillor/Officer Relations</u>.

This note provides advice on what can and cannot be done during the Pre-Election Period. Councillors and Officers can seek guidance from:-

Siraj Choudhury, Head of Governance, People & Performance (Monitoring Officer) on 01293 438005 or email to: siraj.choudhury@crawley.gov.uk

OR

lan Duke, Chief Executive, Returning Officer and Head of the Paid Service on 01293 438626 or email to: ian.duke@crawley.gov.uk

**On publicity and communication matters** speak to the Communications Manager Allan Hambly – 01293 438781 or email to: <a href="mailto:allan.hambly@crawley.gov.uk">allan.hambly@crawley.gov.uk</a>

Councillors should generally discuss these issues with their Group Leader where there are issues / concerns and / or with the Agent for their party handling the Election Campaign.

The latest guide on the Pre-Election Period issued from the LGA can be found using the link below: <a href="https://www.local.gov.uk/our-support/guidance-and-resources/pre-election-period">https://www.local.gov.uk/our-support/guidance-and-resources/pre-election-period</a>

## <u>Publicity – What is publicity?</u>

The Council cannot publish or assist others to "publish any material which, in whole or in part, appears to be designed to affect public support for a political party" or an individual. The intention behind the publication does not matter, what is important is whether it "appears to be designed to affect support." Publicity is defined very widely "as any communication in whatever form, addressed to the public at large or to a section of the public."

The first question to ask is 'Could a reasonable person conclude that you were spending public money to influence the outcome of an election'? In other words, it must pass the reasonableness test.

#### The Council should not:

- produce publicity on matters which are politically controversial
- make references to individual candidates or parties in press releases
- arrange proactive media or events involving candidates
- issue photographs which include candidates
- supply council photographs or other materials to political group staff unless you have verified that they will not be used for campaigning purposes
- help with national political visits (as this would involve using public money to support a
  particular candidate or party). These should be organised by political parties with no cost or
  resource implications for the council.

All Council publicity is potentially sensitive in the run up to the election. This includes:

- All social media
- Speeches
- Leaflets
- Press releases
- Sponsorship
- Meetings
- Events and posters
- Photos
- Even floral displays!

Publicity produced by the Local Authority is restricted at all times by the Local Government Act 1986 (as amended) and by the Code of Recommended Practice published in 2011 on Local Authority Publicity issued under the Act, as well as by the general limits on the powers of the Local Authority. However, in the run up to an election, the general guidelines and restrictions should be given more scrutiny than usual.

## **The Local Government Act 1986**

The pre-election restrictions are governed by Section 2 of the Local Government Act 1986, which makes it clear that a Local Authority should not publish any material which appears to be designed to affect public support for a political party. This includes the content and style of the material, the time and circumstances of the publication, the likely effect of publicity on people, whether the material promotes or opposes a point of view which is identifiable as the view of one political party to another, and references to a political party to people identified with a political party.

The Council is also forbidden to give financial or other assistance to other bodies to enable them to publish material that the authority may not publish.

#### **Code of Recommended Practice on Local Authority Publicity (2011)**

The Act makes it clear that Councils need to have regard to the Code of Practice that supports the Act.

The Publicity Code is grouped into 7 principles that publicity by Local Authorities should follow.

Publicity by Local Authorities should:

- be lawful
- be cost effective
- be objective
- be even-handed
- be appropriate
- have regard to equality and diversity
- be issued with care during periods of heightened sensitivity before elections and referendums

Much of the Code which applies at all times increases in importance before an election. The guidelines on content and style highlight the importance of publicity that is objectively balanced, informative and accurate, concentrating on facts and/or explanations.

The Code states that during the period between the notice of an election and the election itself -

"Local Authorities should not publish any publicity on controversial issues, or report views or proposals in such a way that identifies them with any individual members or groups of members."

#### Guidance

It is permissible for Councils to publish factual information which identifies the names, wards and parties of candidates at Elections.

#### What should be considered?

- The content and style of the material.
- The time and circumstances of publication.
- The likely effect of the material on those to whom it is directed.
- Whether the material promotes or opposes an identifiable point of view on a question of political controversy and
- Where the material is part of a campaign, the designed effect of the campaign.

#### The Council should NOT:

- Produce publicity on politically controversial matters.
- Refer to individual politicians or groups in press releases.
- Arrange proactive media or events involving candidates.
- Issue photographs which include candidates.
- Supply Council photographs or other materials to Councillors or political groups.
- Continue hosting third party blogs or e-communications.

#### Think carefully before:

- Continuing to run "sensitive" local campaigns.
- Launching any new consultations.

#### The Council is allowed to:

- Continue to discharge normal Council business including determining planning applications.
- Publish factual information to counteract misleading, controversial or extreme information.
- Use relevant lead officers, rather than Councillors for reactive media releases.
- Use a politician to respond in particular circumstances, such as in <u>an emergency situation</u> or where there is a genuine need for a member-level response to an important event beyond the Council's control.

Ultimately, any decision you take must be seen as fair and reasonable.

It is acceptable for the Council to respond in appropriate circumstances to events and legitimate service enquiries provided that their answers are factual and not party political. In general, Councils should not issue any publicity which seeks to influence voters.

Councillors and Officers should apply the following principles subject to the merits of each individual case:

- 1. The Council may issue press releases on behalf a Lead Councillor, if it relates to important events or in emergency situations which are outside the Council's control and where the particular circumstances can be shown to justify a member response
- Lead Councillors may also take part by invitation in events relating to their portfolio which are arranged by another organisation and as a result may receive publicity independently of the Council
- The Code does not prevent individual Councillors who are candidates from responding to media enquires made directly to them about Council business or issues which affect the borough or its residents providing they do not use Council resources to do so
- 4. The Code does not prevent Councillors who are candidates from dealing with their everyday Ward work including correspondence from constituents as long as this is not used as a means of canvassing
- 5. Councillors are free to respond to enquiries received from the media in a personal capacity

6. Individual Councillors can issue their own statements, write letters to the local newspapers for publication contact the media directly or say what they like in a private capacity, but cannot use Council resources to do so.

Particularly sensitive or controversial matters will therefore need careful handling around any election period as they may have an impact on public opinion for or against a candidate or political party. The Chief Executive as Head of the Paid Service and the Returning Officer and the Council's Monitoring Officer should be consulted over such matters.

#### **Code of Conduct for Councillors**

Under the Code of Conduct for Councillors:

A Councillor must when using or authorising the use by others of the resources of the Council:

- (i) act in accordance with the Council's reasonable requirements and
- (ii) ensure that such resources are not used improperly for political purposes including party political purposes.

It is therefore important that Councillors are aware of this, particularly as the use by a member of any Council resources for purely political purposes including designing and redistributing party political material produced for publicity purposes and support of any political party or group activity, elections and campaigning, is likely to amount to a breach of the Code of Conduct for Councillors.

Council facilities and resources cannot be used in connection with any party political or campaigning activity. For example, it would be contrary to the Code of Conduct:

- Quoting a Crawley Borough Council email address in party political material.
- Printing political information/emails/attachments on paper supplied by Crawley Borough Council.
- Making photocopies of party-political literature using paper or photocopiers supplied by Crawley Borough Council.
- Using a Crawley Borough Council fax machine to transmit party political material.
- Using Crawley Borough Council provided IT equipment including computers, telephones or mobile devices to conduct party political business.

Councillors may continue to use those resources which relate to their day-to-day business as local Councillors including their Crawley Borough Council email address.

#### **Decision Making**

There is no statutory restriction on the Council's decision making, meetings or political debate during the election campaign it is business as normal. However, given the restrictions on publicity it may be that while the Council's decision making can continue other factors may well limit it.

Officers should therefore consider very carefully whether it is wise to bring forward any matters for decision during an election campaign that could be politically contentious. The profile of issues will be increased in this period and could have more prominence than at other times. This may distort

decision making and create a risk that the decision will be made on party political grounds rather than on its merits and therefore it is challengeable.

#### Consultations

As a general rule consultations should be avoided. Officers should also consider deferring consultations until after the Pre-Election Period. This is particularly so if a consultation exercise could be interpreted as engendering support for a particular group, or campaign or if its timing could result in a political advantage for one party or an individual. If a consultation has already started and runs through the election period, it may be appropriate to extend the consultation period and put out extra publicity for the consultation after the election. Officers should take account of the circumstances of each consultation.

#### **Use of Premises**

No candidate at local or national elections can use Council premises in an election campaign by visiting them for electioneering purposes. This is especially relevant to photo opportunities. However, there are provisions in the Representation of People Act 1983 (Section 96) for candidates at a Local Government Election to use certain public rooms free of charge to hold public meetings at reasonable times between 26 March 2024 to 2 May 2024.

The following conditions apply:

- The meeting must be open to all Councillors and members of the public and not restricted to ticket holders or Councillors only
- The purpose of the meeting must be to advance the candidate's prospects of victory at the election e.g. Hustings
- The room must be suitable
- The room must be used at reasonable times, not causing any disruption to the activities it is normally used for, and the candidate must give reasonable notice of wishing to use it. Equally any prior letting of a meeting room must take precedence
- Candidates must pay for the costs of heating, lighting and cleaning the room, in preparation for the meeting and for restoring it to its usual condition after the meeting
- Candidates must pay for any damage done to the premises.

## Pre-Election Checklist Applies Monday 27th March to Thursday 4<sup>th</sup> May 2023

- 1. Councillors cannot be quoted in press releases or publicity issued by the Council.
- 2. All publicity must be non-political. This includes Council organised events, leaflets, press releases, social media, speeches, it can also include sponsorship events, posters, photos and even the colour of floral displays.
- 3. No political posters or leaflets can be displayed on Council premises including streetlights etc. or Council vehicles.
- 4. Officers must be politically neutral when acting in a professional capacity as a Council officer i.e. At work (and at all times for politically restricted posts).
- 5. There must be no pro-active publicity that can be seen to support a political party or candidate.
- 6. Council resources cannot be used in connection with any party political or campaigning activity.
- 7. Council business must continue as normal. However, the Council should avoid launching new projects, initiatives and consultations during this period.
- 8. No candidates can use Council premises in an election campaign by visiting them for electioneering purposes. This is especially relevant to photo purposes.
- 9. Councillors holding key political or civic positions should be able to comment in an emergency or where there is a genuine need for a Member response to an important event outside the Authority's control.
- 10. During the Election Period, Councillors must not use their Council email address in any Ward Newsletters and other material which contain election or campaigning material.

## Crawley Borough Council

# Consideration Report for Delegated Decision by Leader of the Council

**Expected Date of Decision 2 April 2024** 

## Modern Slavery and Human Trafficking Annual Statement: 2024/2025

Report of the Head of Corporate Finance FIN/656

#### 1. Purpose

1.1. The purpose of the report is to seek approval of the latest Modern Slavery and Human Trafficking Statement detailing our commitment to tackling this issue within our business activity and supply chain.

#### 2. Recommendation

2.1. That the Leader of the Council in consultation with the Head of Governance, People & Performance; Head of Community Services and Head of Corporate Finance:

Approve the Modern Slavery and Human Trafficking Annual Statement for April 2024 to end March 2025 (attached as Appendix A to this report).

#### 3. Reasons for the Recommendation

- 3.1 The adoption and publication of a Modern Slavery and Human Trafficking Statement is considered best practice and is likely to become a statutory requirement in the future.
- 3.2 A report was taken to Cabinet on 12 January 2022 (FIN/539) which approved that the Leader of the Council would be delegated authority to approve minor amendments to the Statement and approve subsequent annual Statements for publication, in consultation with the Head of Legal, Governance and HR (now known as the Head of Governance, People & Performance), Head of Community Services and Head of Corporate Finance to approve minor amendments.
- 3.3 The approval of the Statement shows the commitment of Crawley Borough Council to tackle modern day slavery in the community and its supply chains, it also supports the principles set out in the Social Value Charter which is used within our procurement processes.

#### 4. Background

4.1. The Modern Slavery Act 2015 applies to England and Wales and includes the offences of human trafficking and slavery, servitude and forced or compulsory labour. The Act consolidated and simplified existing offences and establishes a legal duty under Section 52 for public authorities to notify the Home Office where there are reasonable grounds to believe a person may be a victim of modern slavery.

- 4.2. In 2015, the Home Office estimated that 13,000 people were subject to modern slavery in the United Kingdom, although the National Crime Agency estimated that the true figure is likely to be in the 'tens of thousands', with recent research by the Centre for Social Justice (CSJ) and Justice in Care in 2020, estimating there are at least 100,000 victims. Due to modern slavery being a 'hidden' crime along with barriers for victims to come forward and the systems used to record cases at a local and national level it is difficult to provide exact data and the number of cases is expected to be significantly higher. In the last 12 months Sussex Police have recorded 195 crimes of Modern Slavery, which includes trafficking.
- 4.3 Many local cases involving young people occur through criminal exploitation and 'county lines' where local children are made to travel to other boroughs and counties to sell drugs. There are also cases of forced labour where individuals are made to work for little or no pay in various industries including construction sites, hospitality, cleaning services and the beauty industry.
- 4.4. Section 54 of the Modern Slavery Act states that every commercial organisation in the UK with a total annual turnover of £36m or more must produce a Modern Slavery and Human Trafficking Transparency Statement annually. Whilst this is not currently a mandatory requirement for local authorities many are doing so on a voluntary basis to demonstrate their commitment to tackling this issue.
- 4.5 Currently the Statement must include "the steps the organisation is taking to ensure that slavery and human trafficking is not taking place in any of its supply chains, and in any part of its own business". The Act states that the Statement should include information about:
  - i. The organisation's structure
  - ii. Its policies in relation to slavery and human trafficking
  - iii. Its due diligence processes in its business and supply chains
  - iv. The training that has taken place and is available to staff
- 4.6. Appendix A contains the proposed Modern Slavery Statement for the Council. It covers the period from April 2024 to end March 2025 when the Statement will need to be reviewed and updated which must include progress on what actions have been taken.
- 4.7. Current guidance advises that the Statement must be approved and signed annually by executive leaders prior to publishing. This Statement will therefore be updated annually for approval as per Recommendation 2.1 before being signed by the Leader and Chief Executive and published.
- 4.8. The Statement has been drafted in association with the Community Services department who work with partner organisations to tackle this issue within the community. The process has involved working with colleagues across Horsham District Council, Mid Sussex District Council and Mole Valley District Council who form part of the Shared Procurement Service. Best practice guidance was also used to inform the development of the Statement.

#### 5. Description of Issue to be Resolved

- 5.1. By producing the Modern Slavery Statement it is hoped that there is greater transparency and awareness of modern slavery and human trafficking and the actions the Council is taking to eradicate it.
- 5.2 Producing a Statement gives a clear message to our supply chain of the importance of tackling this issue and our expectations of them to do the same.

#### 6. Information & Analysis Supporting Recommendation

- 6.1. Modern Slavery is happening within the UK and within West Sussex. The Council has a duty to ensure that we safeguard our communities. By producing a Modern Slavery Statement and implementing its actions we can raise awareness of this crime and ensure that mitigating actions are taken to minimise the risks.
- 6.2. The Statement also supports the Council's corporate priority to "create stronger communities", it also supports the Council's Social Value Charter ambitions to work with suppliers who are responsible and ethical employers.

## 7. Implications

- 7.1. There are no financial implications. There will be some resource implications on the delivery of the action plan, including providing appropriate training to staff and ensuring through contract management that we are monitoring the actions our suppliers are taking. The responsibility for taking forward the actions will sit with the Procurement team who will work closely with Community Services.
- 7.2. Section 54 of the Modern Slavery Act requires 'commercial organisations' to prepare a Slavery and Human Trafficking Statement for each financial year. It is not, as yet, a statutory requirement for the Council because we are not a commercial organisation, however it is regarded as industry good practice. Parliament is currently considering a change to legislation and it is thought this will become a statutory requirement for local authorities when this happens.

## 8. Background Papers

FIN/539 Modern Slavery and Human Trafficking Report

**Procurement Code** 

Social Value Charter

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# Appendix A





# Modern Slavery and Human Trafficking Transparency Statement – 2024 / 2025

#### Introduction

Modern slavery is a global problem and international crime, affecting millions of people worldwide, including many victims within the UK. Men, women and children of all ages and backgrounds can fall victim to human trafficking. Victims can be controlled by force, threats, coercion, abduction, fraud and deception.

Crawley Borough Council is a local authority which provides a wide range of services alongside partners, to the local community. We are making a clear commitment to tackle modern slavery by signing up to this Modern Slavery and Human Trafficking Transparency Statement.

The Modern Slavery Act 2015 places specific responsibilities on organisations to ensure slavery and human trafficking does not exist within its supply chain or in any part of its own business. The term 'modern slavery' captures a whole range of exploitation which includes:

- **Sexual exploitation**: this includes sexual abuse, forced prostitution and the abuse of children in order to produce child abuse images or videos
- Domestic servitude: this involves victims being forced to work in usually private households, performing domestic chores and childcare duties
- **Forced labour**: this can happen in various industries, including construction, manufacturing, laying driveways, hospitality, food packaging, agriculture, maritime and beauty (nail bars)
- **Bonded labour**: this includes descendant slavery when people give themselves into slavery as security against a loan or when they inherit a debt from a relative
  - **Criminal exploitation**: this can be understood as the exploitation of a person to commit a crime, such as pick-pocketing, shoplifting, cannabis cultivation, drug trafficking and other similar activities that are subject to penalties and imply financial gain for the trafficker

- Human Trafficking: this requires that a person arranges or facilitates the travel of
  another person with a view to that person being exploited. The offence can be
  committed even where the victim consents to the travel. This reflects the fact that a
  victim may be deceived by the promise of a better life or job or may be a child who is
  influenced to travel by an adult.;
- Other forms of exploitation include organ removal, forced begging, forced benefit fraud, forced marriage and illegal adoption.

## Our responsibilities

The abuse of human rights in our supply chains through modern slavery is gaining greater awareness. The Council has a responsibility to prevent slavery and human trafficking within our supply chain and in any part of the organisation. It expects the same high standards from all of our contractors, suppliers and other business partners.

This Statement sets out the Council's actions and commitments to understand all potential modern slavery risks related to our activities and to put in place steps to combat and prevent acts of slavery and human trafficking within our business and supply chains. It applies to everyone working for the Council or on our behalf in any capacity. The Council's Corporate Management Team has overall responsibility for ensuring this Statement complies with our legal and ethical obligations, and that all those under the Council's control comply with it.

The Council's commitment to addressing the issue of modern slavery in its business and supply chains will be communicated to all suppliers, contractors, and business partners at the outset of its business relationship with them and reinforced as appropriate thereafter.

#### **Our Policies**

The Council has a number of internal policies that help to ensure we are conducting business in an ethical and transparent manner and support compliance with Modern Slavery Act. These include:

- Procurement Code and wider Public Contract Regulations 2015
- Code of Conduct
- Equality, Diversity, and Inclusion Policy
- Safeguarding Policy
- Whistle-blowing policy

## **Due Diligence and Supply Chain Management**

The Shared Procurement Service, who deal with most contracts worth £50,000 or more, take the lead on tackling modern slavery within our supply chains, and work in conjunction with stakeholder departments who may face the greatest risk of procuring goods, services or works associated with this crime. Staff are trained to ensure they are aware of the risks and issues and how to mitigate these in the procurement process.

The Council expects all suppliers regardless of size to actively work towards mitigating the risk of modern slavery within their organisations and its supply chain and may request evidence to demonstrate steps taken. In addition, the Shared Procurement Service has processes and due diligence mechanisms in place to ensure that modern slavery is tackled by its supply chain.

#### What the council has done

Since we published our first statement in 2022, the council has undertaken the following to meet its commitment to tackle modern slavery:

- Provided training and guidance on contract management incorporating potential modern slavery risks to staff responsible for managing contracts.
- Ensured that all staff in the shared procurement service have had training in modern slavery incorporating recognising the signs in spotting it and how to incorporate it in procurements;
- Ensured that suppliers tendering with the council complete a self- declaration document to say that they have met the requirements of the Modern Slavery Act
- Assessed recruitment policies and procedures for above threshold or higher risk contracts as appropriate.
- Identified key contracts where modern slavery risks are more likely to occur.
- Worked with Police, Home Office and other relevant partners where there has been concerns around modern slavery;
- Incorporated modern slavery in our safeguarding training to all frontline staff;
- Arranged specific modern slavery training for staff covering what constitutes modern slavery, how to spot the signs and action to be taken to report concerns or suspicions;
- Arranged specific training for staff around county lines and exploitation;
- Promoted and made available on our intranet the Home Office e-learning modules on First Responder Training and Child Victims of Modern Slavery Training;

## Our commitment for the next year

- We will disclose identified instances of modern slavery and continue to work with Police, Home Office, West Sussex County Council, Gangmasters and Labour Abuse Authority and other relevant authorities as appropriate where there are slavery concerns;
- We will notify the Secretary of State of suspected victims of slavery or human trafficking under Sections 43, 52 and 54 of the Modern Slavery Act 2015

- We will ensure relevant staff have access to and are completing mandatory training which supports the Modern Slavery Act
- We will continue to encourage the reporting of suspicions of slavery through the Council's Modern Slavery Single Point of Contract (SPOC). For Crawley Borough Council this is the Community Safety Officer.
- We will ensure that modern slavery considerations are incorporated in any relevant new or updated council policies;
- We will continue to monitor our supply chains and report on any issues identified through non-compliance or insufficient information provided;
- We will continue to ensure that any supplier that wishes to tender for Council
  contracts must provide evidence that they have met the requirements of the Modern
  Slavery Act 2015 to be able to bid. This is included in the council's standard template
  documentation. Any supplier who fails to evidence their compliance shall be excluded
  from participating further in the tender process.
- As part of our contract management processes, we will continue to undertake annual gathering and reviewing of Modern Slavery Statements for all suppliers with an annual turnover of £36m and over.
- We will continue to include clauses in our standard contract terms that specify the supplier's contractual obligation concerning modern slavery.
- For all Above Threshold contracts (currently £213,447 inclusive of VAT) or contracts
  where we believe there are likely to be greater supply chain risks, we will continue to
  assess suppliers' recruitment policies and procedures to ensure that they are
  minimising the risk of modern slavery in their organisation.
- The Shared Procurement Service will continue to undertake an annual risk
  assessment of its supply chain to identify high risk areas and will continue to deliver
  training and guidance to contract managers to highlight the potential modern slavery
  risks.
- We will include refresher modern slavery training as part of the roll-out of the Procurement Act 2023.

#### **Declaration**

This Statement is made under Section 54(1) of the Modern Slavery Act 2015 for the financial year ending 31 March 2024. It is approved by the Council's Corporate Management Team and Cabinet and will be subject to review on an annual basis.

Signed:	Leader of the Council, Crawley Borough Council
Signed:	Chief Executive, Crawley Borough Council



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