

Crawley Borough Council



Minutes of Cabinet

Wednesday 12 February 2014 at 7.30p.m.

Present:

Councillor	Dr H S Bloom	(Chair of Cabinet and Leader of the Council)
	R D Burrett	(Deputy Leader of the Council and Cabinet Member for Housing)
	N J Boxall	(Cabinet Member for Community Engagement)
	D G Crow	(Cabinet Member for Leisure and Cultural Services)
	R A Lanzer	(Cabinet Member for Planning and Economic Development)
	K J Trussell	(Cabinet Member for Environmental Services)

Also in attendance:

Councillors S A Blake, M G Jones and C C Lloyd

Officers Present:

Ann-Maria Brown	Head of Legal & Democratic Services
Peter Browning	Director of Transformation & Housing
David Covill	Director of Development & Resources
Lee Harris	Chief Executive
Phil Rogers	Director of Community Services
Sally English	Democratic Services Officer

87. Apologies for absence

Councillor C L Denman

88. Members' Disclosure of Interests

There were no disclosures of interest.

89. Minutes

The minutes of the meeting of the Cabinet held on 15 January 2014 were approved as a correct record and signed by the Chair.

90. Public Question Time

Public Question Time took place and 5 residents put questions to the Cabinet. Notes of the questions asked and the Cabinet Members' responses are set out in **Appendix A** to these minutes.

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

The Head of Legal and Democratic Services reported that no representations had been received in respect of items 15 Insurance Procurement or 16 Tender Acceptance.

92. Matters Referred to the Cabinet

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

93. Treasury Management Strategy 2014/15 (The Leader's Portfolio)

The Cabinet considered report [FIN/323](#) of the Head of Finance, Revenue & Benefits which set out the strategy for 2014-2015, and set out the treasury management issues. The key changes to the Investment Strategy in section 7 and appendix 3 compared with the 2013-2014 strategy are:

- Counterparties are now selected using Capita Asset Management's creditworthiness service (previously selected using credit ratings)
- Increased the money limit for corporate bonds from £1.65m to £5m

The matter had been considered at the meeting of the Overview & Scrutiny Commission on 10 February 2014. The Commission endorsed the recommendation to both the Cabinet and Full Council, and thanked the officers for the work involved in producing the report.

The Cabinet noted the endorsement of the Overview & Scrutiny Commission and agreed with its endorsement of the key changes, and endorsed the Commission's thanks to the officers involved for their hard work in producing such a complex but accessible report.

RESOLVED

The Full Council is RECOMMENDED:

- a) to approve the Treasury Prudential Indicators and the Minimum Revenue Provision (MRP) Statement contained within Section 5 of report FIN/323.
- b) to approve the Treasury Management Strategy contained within Section 6.
- c) to approve the Investment Strategy contained within Section 7, and the detailed criteria included in Appendix 3.

Reason for Decision

The Council's financial regulations, in accordance with the CIPFA Code of Practice for Treasury Management, requires a Treasury Management Strategy to be approved for the forthcoming financial year. The report FIN/323 complies with these requirements.

94. Budget & Council Tax 2014/15 (The Leader's Portfolio)

The Cabinet considered report [FIN/328](#) and supplementary report [FIN/328 supp](#) of the Head of Revenue, Finance & Benefits which set the budget and level of Council Tax for the year 2014/15, taking into account the Council's review of its spending plans, along with

options to amend spending to meet new priorities, and considered comments received as part of the consultation process.

The matter had been considered at the meeting of the Overview & Scrutiny Commission on 10 February 2014. The Commission asked that the Cabinet be requested to:

- 1) endorse in full the recommendations from the Budget Advisory Group, in particular regarding the K2 Contract Extension and Crawley Live
- 2) join them in giving their thanks and best wishes to the Head of Finance, Revenues & Benefits who is retiring at the end of March.

The Chair acknowledged the comments of the Overview & Scrutiny Commission and joined them in thanking Dave Rawlings, the Head of Finance, Revenue & Benefits, for his many years of service and stated he had been an enormous asset to CBC and would be missed.

RESOLVED

The Full Council is RECOMMENDED:

- a) to approve the proposed 2014/15 General Fund Budget as set out in section 6 and Appendix 2 of report FIN/328.
- b) to approve the proposed 2014/15 Housing Revenue Account budget as set out in section 10 and Appendix 3
- c) to approve the 2013/14 to 2016/17 Capital Programme and funding as set out in paragraph 11.10
- d) to agree that the Council's share of Council Tax for 2014/15 be frozen at £187.83 for a band D property
- e) to approve the Pay Policy Statement 2014/2015 as outlined in paragraph 16.3 and Appendix 6

Reason for decision:

To provide adequate funding for the proposed level of services and to fulfil the statutory requirement to set a budget and Council Tax and report on the robustness of estimates.

95. Tilgate Access and Car Parking Arrangements (Leisure & Cultural Services Portfolio)

The Cabinet considered report [PSD/113](#) of the Head of Property which:

- considered options for improving the existing access and car parking arrangements at Tilgate Park
- sought to confirm the preferred option for implementation
- sought to make changes to the Council's Off-Street Parking Places (Civil Enforcement and Consideration) Order 2009 ('the Order')
- sought to make changes to the Parking Strategy

The matter had been considered at the meeting of the Overview & Scrutiny Commission on 10 February 2014. The Commission recommended, in principle and subject to the final plans, the Cabinet to:

- 1) support Option 2 and to ensure that it would be to the benefit of all users and that access would be safe and support all non motorised modes of transport, including pedestrians and cyclists, without the need for further remedial works
- 2) to retain the car park maximum fee of £3 and to not increase it to the proposed £5 daily rate

- 3) to support the increase of free parking in the fishermen's car park from 10am to 11am

The Cabinet Member for Leisure & Cultural Services noted the recommendations put forward by the Overview & Scrutiny Commission, and agreed with the recommendation to support Option 2. However, the proposed revision to the Parking Strategy of raising the daily maximum fee from £3 to £5 would remain, because Councillor Crow proposed extending the free parking period from 10am to 11am in the overflow (fishermen's) car park. It was felt therefore that by increasing the period for free parking, as well as the flat £1 per hour fee, parking at Tilgate Park would be better value and for longer and that the maximum parking charge could be justified. He added that all revenues from car parking were for the upkeep of the park.

Councillor Michael Jones raised a concern that in the current economic climate, visitors to the park would not be able to afford the maximum capped rate of £5, and would use nearby residential streets instead. Councillor Crow advised him that 70% of visitors to the park in the summer were visitors to Crawley and as such would be comfortable with a maximum charge of £5 for a whole day's parking. He also advised that many of those using the residential streets to park were Crawley residents, not visitors. However, he agreed to keep these changes under constant review and would monitor any problems arising and invited all to pass comments to him in order to ensure the process was successful for Crawley, its residents and visitors. He also agreed to ensure there was clear guidance to the overflow car park for those who use the car park before the charging time starts, and would recommend to Park Run that its members use the existing route to access the overflow car park (rather than the new access road) and also agreed to discuss a cycle route with officers although he made clear he was not able to give any assurance that a cycle route would be possible.

Councillor Crow asked that recommendation 2.8 in the report be amended to read "that the Head of Legal & Democratic Services, in consultation with the Portfolio Holder, be granted delegated authority to advertise and implement the proper variation to the Order".

RESOLVED

- 1) That approval be given to Option 2 in report PSD/113 for the construction of a new access road linking the park to the A23, with minimum modifications required to the main car park to facilitate the new access road, and delivering additional car parking spaces, resurfacing the main car park and associated environmental improvements to car park pedestrian/toilet area.
- 2) That the Head of Property be authorised to invite tenders for the option chosen and in consultation with the Portfolio Holder for Leisure and Culture and the Head of Finance, Revenue and Benefits to accept the most economically advantageous tender and thereafter to enter into a contract for the works with the successful Tenderer
- 3) That approval be given for a supplementary capital estimate of £7,800 to the existing capital budget provision of £1m
- 4) That approval be given for the necessary variation to the Order to upgrade the main Tilgate Park car park from 'pay on entry' to 'pay and display' and to add the overflow (fisherman's) car park to the Order
- 5) That the Head of Legal & Democratic Services, in consultation with the Portfolio Holder, be granted delegated authority to advertise and implement the proper variation to the Order
- 6) That approval be given for the revised Parking Strategy set out in 4.1.4 of the report and amending the free parking period from 10am to 11am in overflow (fisherman's) car park.

Reason for decision:

- 1) Officer recommendation is that Option 2 represents the most economically advantageous scheme
- 2) A budget of £1m was provisionally set aside to construct the new access, following a BAG recommendation that Council examine the feasibility of providing a new access road linking Tilgate Park and the A23, and the principal objectives were to
 - Facilitate an improvement in visitor experience with well organised and managed access and car parking arrangements for Tilgate Park
 - Reduce traffic volume through Titmus Drive by making the A23/K2 junction the primary route for vehicular access and egress to and from the park
 - Relieve traffic congestion and parking both in the park and also in the Tilgate neighbourhood

It was noted that measures would also need to be incorporated into the design to deter motorists from using the new route as a shortcut between A23 and Tilgate neighbourhood.

96. Quarterly Monitoring 2013/2014 Quarter 3 (The Leader's Portfolio)

The Cabinet considered report [FIN/325](#) of the Head of Finance, Revenue & Benefits which set out a summary of the Council's projected year-end revenue position and actual and projected capital spending at the third quarter ending December 2013.

RESOLVED

- 1) That the projected outturn for the year 2013/2014 as summarised in report FIN/325 be noted.

The Full Council is RECOMMENDED:

- 2) To approve a supplementary capital estimate of £220,000 for the enhanced design of the new build Brunel Place scheme which now includes provision for two additional flats, funded from the HRA resources.

Reason for decision:

To report to Members on the projected outturn for the year, compared to the approved budget.

97. Urgent Action

The Cabinet had been asked to note that an urgent action had been taken under paragraph 1.5 of the Leader and Cabinet Procedure Rules in Part 4 (Rules of Procedure) of the Constitution to award a contract for the provision of wheeled refuse bins. If the urgent procedure is not used then delivery of the refuse bins to residents would have been delayed. This could leave the Council open to a claim for additional contractor costs.

RESOLVED

That the Cabinet notes that urgent action has been taken under paragraph 1.5 of the Leader and Cabinet Procedure Rules in Part 4 (Rules of Procedure) of the Constitution.

98. 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act by virtue of the paragraphs specified against the items.

99. Insurance Procurement (The Leader's Portfolio)
(Exempt Paragraph 3 – Information relating to financial and business affairs of any particular person including the Authority holding that information)

The Cabinet considered report FIN/234 of the Head of Finance, Revenue & Benefits which sought approval for the award of contracts for insurance to suppliers who have provided the best tenders for various lots of insurance cover.

RESOLVED

That the appointment of the following providers for the indicated cover for a period of three years from 1 April 2014 (with the option to extend for a further two years) be approved. The providers are:

Property, Casualty and Motor – Travelers Insurance Co Ltd
Engineering Insurance and Inspection - Allianz Insurance plc
Group Personal Accident – ACE European Group Limited

Reason for Decision –

Following a tender evaluation, Travelers, Allianz and ACE have submitted the most economically advantageous tenders.

100. Tender Acceptance for Insurance of the Council's Commercial Property (Planning & Economic Development Portfolio)

The Cabinet considered report PSD/114 of the Head of Property which, following detailed procurement, sought approval for the most advantageous tender for insurance of the Council's commercial property.

RESOLVED

That the appointment of Morrison Edwards Insurance Ltd as the Council's commercial property insurance provider for a period of three years from 1 April 2014, with a possible extension for a further two years, be authorized.

Reason for decision -

Following a tender evaluation, Morrison Edwards Insurance Ltd have submitted the most advantageous tender.

101. Closure of Meeting

With the business of the Cabinet concluded, the Chair declared the meeting closed at 9.08pm.

DR H S BLOOM
Chair

Appendix A

Public Question Time – Questions and Responses

Set out below are the questions asked at Public Question Time along with the Cabinet Members' responses:

Mr Geoff Herbert – Public Art

Mr Herbert presented to the Cabinet a sample of the brickwork art he had spoken about at the Overview & Scrutiny Commission meeting on 10 February. He said he had continued to work on the sample as he had received no update from the Cabinet Member for Leisure & Cultural Services, Councillor Duncan Crow, on progress regarding the artwork. He added that he wished to be kept informed on the reception from both CBC and the Museum Society to his artwork.

Councillor Duncan Crow thanked Mr Herbert for showing his artwork to the Cabinet, and suggested that Mr Herbert could also contact the Museum Society with his suggestions as they were an equal partner in the museum project. He also agreed to send Mr Herbert the latest information regarding progress, and agreed to ask the Museum Society to discuss Mr Herbert's fundraising ideas.

Mr Steve Butler – Green space behind Ely Close

Mr Butler, a resident of Oxford Road, advised that an application for the green space behind Ely Close to be granted the status of an Asset of Community Value had been submitted by the Ely Close Action Group (ECAG). He was concerned that the proposed sale of this land to Moat would be expedited before the application had been duly considered. He sought a reassurance that this would not happen.

The Cabinet Member for Planning & Economic Development, Councillor Bob Lanzer, informed Mr Butler that as the application was the first ever received by the Council, the process for determining such applications had yet to be established. As a result, he was not in a position to provide the reassurance Mr Butler but assured him that the Council was obliged to consider the application fully before any disposal of the land and guaranteed that full consideration would take place. He added that the Council had until 21 March to make a decision regarding the submission from ECAG but he was not currently in a position to comment.

Ms Jackie Littleton – Green space behind Ely Close

Ms Littleton, a resident of Worcester Road, asked why officers had been instructed to proceed with the sale of the land behind Ely Close, and why residents' concerns had not been taken into account. She also asked whether the application for the land to be designated as an Asset of Community Value would halt the sale process.

Councillor Lanzer advised Ms Littleton that the land in question had been identified in October 2009 for residential development and that the original outline design had been modified to reduce the development's 3 storey height. He added that serious judgement had been required regarding this space, and the decision had been taken that, in this instance, the need for social housing outweighed the need for amenity space and this view had been endorsed by an independent planning officer. Councillor Lanzer added that as legal advice was currently being taken on the process, he was not at liberty to discuss the proposed sale.

Mr Tim Barnes – Green space behind Ely Close

Mr Barnes advised the Cabinet that the land in question was prone to flooding, and asked why the Council would consider building on a potential flood plain.

Councillor Lanzer advised Mr Barnes he was right to raise this issue but assured him that Council works closely with the Environment Agency and that this issue would have been taken into account.

Mr Alnur Hassam – Tilgate Park

Mr Hassam from Park Run, a running group that uses Tilgate Park, asked to be involved in consultations regarding car parking and the new access road to Tilgate Park.

Councillor Crow informed him that Park Run had been identified as a consultee and that he had already written to Mr Keating from Park Run advising him of this. Councillor Crow informed Mr Hassam that he had announced on 7 February changes to the overflow car parking charging, which were that the free parking period had been extended from 10m to 11am, and this had been in part because he was a big supporter of runners, walkers etc and others who use the park for health benefits.