

# Crawley Borough Council



## Minutes of Cabinet

Wednesday 8 October 2014 at 7.30pm

### Present:

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

### Officers Present:

Peter Browning	Director of Transformation & Housing
Kevin Carr	Deputy Monitoring Officer
David Covill	Director of Development & Resources
Sally English	Democratic Services Officer
Lee Harris	Chief Executive
Ray Hook	Built Environment Manager
Steve Lappage	Democratic Services Manager
Phil Rogers	Director of Community & Partnership Services

### Also in attendance:

Councillors W Ward

### Apologies for Absence:

There were no apologies for absence.

### 28. Members' Disclosure of Interests

There were no disclosures of interest.

### 29. Minutes

The minutes of the meeting of the Cabinet held on 10 September 2014 were approved as a correct record and signed by the Chair.

**30. Public Question Time**

There were no questions from the public.

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

The Deputy Monitoring Officer reported that a representation had been received in respect of item 12 The Approval for the Budget and Authority to Proceed to Construct Approximately 13-15 Social Rented Dwellings on Land at Gales Place, Three Bridges, Crawley and for this item to heard as Part A. The Deputy Monitoring Officer advised the item could be discussed as Part A with the exception of matters 4.1 – 4.9 relating to the business and financial affairs of CBC and third parties. It was also pointed out that the report would remain as Part B. The Cabinet agreed the item would therefore be discussed as Part A with the report remaining as Part B.

**32. Matters Referred to the Cabinet**

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

**33. Petitions Scheme (Leader's Portfolio and Community Engagement Portfolio)**

The Cabinet considered the joint report LDS/088 of the Head of Legal & Democratic Services which requested the Cabinet to consider whether any changes should be made to the Petitions Scheme following the repeal of the Localism Act 2011 of the requirement (under the Local Democracy, Economic Development and Construction Act 2009) to have a Petitions Scheme (including an e-petitions facility).

The matter had been at the meeting of the Overview & Scrutiny Commission on 6 October 2014. The Commission expressed support for the retention of the scheme, Members' comments included:

- Concerns expressed that petitions should no longer be considered by the Overview and Scrutiny Commission, but should be debated at the relevant Committee/body. It was thought that the removal of this process would eliminate an important part of the democratic process and may also be confusing to customers. It was noted that members of the public have the opportunity to request the scrutiny of a service (through suggestion forms and panels) and it was believed petitions should follow a similar approach. However, it was acknowledged that should a petition be debated at Cabinet, Commission Members would have an opportunity to refer the report for consideration from the Forward Plan.
- Possible alternative approaches to inform the Commission regarding the receipt of petitions were discussed. This could include notification to the Chair and Vice Chair upon receipt, to then take a decision for further action (similar

to a provisional referral). However, it was felt that this might result in additional resources and a more complex process.

- Members did not support the full recommendations. It was agreed that the recommendation detailed in 6.3 of the report regarding the removal of petitions to be debated by the Overview and Scrutiny Commission be amended. Any petition over 1000 signatures and requiring debate at Full Council, will be considered at Full Council. However any other petition containing 50-999 signatures (to be referred to the Cabinet, Cabinet Member, Committee or Sub-Committee – whoever has the authority to take a decision on the matter) should automatically trigger debate at the Overview and Scrutiny Commission, prior to consideration at the appropriate body.

The Chair invited Members of the Commission to vote on this amended recommendation. As a result, the Cabinet is to be advised that six Members agreed to vote in favour for this amended recommendation to support the trigger to the Commission, as opposed to one Member vote against, and one abstention.

The Commission supported the other recommendations to the Cabinet. The Chair thanked the Commission for its comments and after some clarification on the existing petition arrangements, the Cabinet agreed to endorse the Commission's recommendation for petitions comprising 50-999 signatures to be considered by the Overview and Scrutiny Commission before they are considered by the Cabinet, Committee or other decision-maker as appropriate. It was agreed that in such circumstances, if an OSC meeting was not imminent, that a special OSC meeting could be convened, if required and if timescales allowed. The process of petitions comprising more than 1000 signatures going to Full Council for consideration would remain unchanged. It was also acknowledged that the petitions scheme had been successful to date, and was a vital element in the process of enabling residents to have their views heard.

## **RESOLVED**

### **That Full Council be RECOMMENDED**

- 1) To endorse the recommendation of the Overview & Scrutiny Commission for petitions numbering 50-999 to be considered by the Commission prior to its submission to the appropriate decision-maker;
- 2) That subject to 1) above, to endorse the retention of a Petition Scheme and e-petition facility and consider and approve the changes proposed to the Council's Petition Scheme (including e-petitions facility)
- 3) To instruct the Head of Legal and Democratic Services to amend the Council's Constitution to reflect any changes to the Petition Scheme, including the e-petition facility

### **Reason for decision**

- 1) The statutory duty to have a petitions scheme (including an e-petition facility) and the Statutory Guidance has been repeated by the Localism Act 2011. Retention of both is now at the discretion of the Council
- 2) It is recommended that the Council retains a Petition Scheme as it sends a clear message to the general public that the Council takes their views seriously. It is an important part of the democratic process. It also clarifies for the public what the Council will do and the steps that officers have to take when it receives a petition.

**34. Report from the West Sussex Joint Scrutiny Task & Finish Group – Commissioning of Community Advice from Citizen’s Advice Bureau (Community Engagement Portfolio)**

The Cabinet considered report DC&PS/002 of the Director of Community and Partnership Services which sought endorsement from the findings of the Joint Scrutiny Task and Finish Group (TFG) regarding the existing contract for the provision of generalist advice to the West Sussex Citizens Advice Bureau (CAB) Consortium. The endorsement will be passed on to West Sussex County Council to enable them to undertake the appropriate procurement process for the future West Sussex Community Advice Service (WSCAS) to be provided from April 2015.

The recommendation was endorsed by the Cabinet. It was also pointed out that 2014 was the 75 anniversary of the CAB, and its AGM would be held in Burgess Hill in the next few weeks.

**RESOLVED**

- 1) To accept and endorse the findings of the West Sussex Joint Scrutiny Task & Finish Group which has considered the current operation and future procurement of the West Sussex Community Advice Service contract;
- 2) To act together with West Sussex County Council and the other Borough and District Councils to jointly commission the new service, noting that the procurement process for this is still subject to discussions with WSCC and other funders;
- 3) To note the proposed service specification for WSCAS (Appendix 1);
- 4) To agree that the contract offered is for up to five years, with suitable break clauses related to renewal of the funding commitment and as agreed by the Cabinet Member for Community Engagement in consultation with the Director of Community and Partnership Services;
- 5) To agree that the base funding level is increased by 6% for the new contract. This figure is currently provided for within the grant aid budget 2015/16.

**Reason for Decision**

The WSCAS provided by CAB in West Sussex provides independent and impartial advice on a wide range of issues to local residents. The service is funded jointly by WSCC and the Borough and District Councils.

Whilst discussions are taking place about the procurement process to be undertaken by WSCC, the desire is to commit for up to five years from April 2015 for a more sustainable funded service supporting residents in need.

**35. Land at Gales Place, Three Bridges, Crawley (Housing Portfolio)**

The Chair reminded the Cabinet that, following the representation made to hear this item in Part A and the agreement of the Cabinet to do so, the discussion would be held as Part A but the report remained Part B and therefore exempt and not available to the public.

The Cabinet considered report CH/155 of the Head of Crawley Homes which sought approval for the budget and authority to undertake a procurement exercise to select a contractor to design and construct a scheme of approximately 13-16 social rented dwellings on land at Gales Place, Three Bridges, Crawley.

The matter had been considered at the meeting of the Overview & Scrutiny Commission on 6 October 2014. The Commission expressed support for the retention of the scheme, Members' comments included:

- Support for the scheme, and the opportunity to use the funds from Housing Revenue Account reserves and Right To Buy 1-4-1 receipts, to maximise social housing development.
- Support for the Passivhaus Standard for the design and construction and the proposed feedback from Crawley Homes on its operation. Although it was requested that additional information be made to Members on the Passivhaus Standard.
- Concern about the uplift on construction costs. However, it was also noted that any 'upfront' costs would need to be 'off-set' against any potential reduction in maintenance costs, resulting in possible benefit for the Council, the tenants and the environment.

The Commission agreed to endorse the recommendations and also convey its support for the proposal.

The Cabinet noted the comments and thanked the Commission for its endorsement. The Portfolio Holder confirmed that 13 properties were proposed; this was slightly less than had been anticipated but the reduction was due to site access restrictions. The energy efficiency of the proposed dwellings was welcomed, as was the potential for the future of dwellings of the Passivhaus design, and there was wide interest in visiting the site once the dwellings were completed. The Cabinet fully endorsed the recommendations.

## **RESOLVED**

To note the contents of the report and:

### **That Full Council is RECOMMENDED:**

- 1) To approve a supplementary estimate of £1,749,250 funded from the Housing Revenue Account (HRA) reserve and £750,750 from the Council's Right to Buy (RTB) Receipts (1-4-1) fund (giving a total of £2,500,000) for the delivery of approximately 13-16 No rented residential units at Gales Place, Three Bridges, Crawley
- 2) To delegate authority to officers to undertake the procurement exercise in accordance with the Procurement Code to select a suitable contractor to design and construct the scheme.
- 3) To delegate authority to the Head of Crawley Homes in consultation with the Leader of the Council and the Cabinet Member for Housing to enter into a contract with the successful bidder for the detailed design and construction of the dwellings.

## **Reason for Decision**

- 1) To provide social rented housing for Crawley Homes
- 2) To provide housing for Crawley residents in need from the Housing Register
- 3) TO continue the delivery of dwellings funded from the HRA as part of the HRA business plan and the Council's RTB Receipts (1-4-1) funding programme.

**36. Closure of Meeting**

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8pm.

P K LAMB  
**Chair**