

# Crawley Borough Council



## Minutes of Cabinet

**Wednesday 28 June 2017 at 7.30pm**

### **Present:**

Councillor	
P K Lamb	(Chair of Cabinet and Leader of the Council)
M G Jones	(Cabinet Member for Public Protection and Community Engagement)
S J Joyce	(Deputy Leader of the Council and Cabinet Member for Housing)
C J Mullins	(Cabinet Member for Wellbeing)
A C Skudder	(Cabinet Member for Resources)
P C Smith	(Cabinet Member for Planning and Economic Development)
G Thomas	(Cabinet Member for Environmental Services and Sustainability)

### **Also in Attendance:**

Councillors	B J Burgess and D Crow
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### **Officers Present:**

Natalie Brahma-Pearl	Chief Executive
Ann-Maria Brown	Head of Legal and Democratic Services
Peter Browning	Deputy Chief Executive
Karen Dodds	Head of Crawley Homes
Karen Hayes	Head of Finance, Revenues and Benefits
Mez Matthews	Democratic Services Officer

### **1. Apologies for Absence:**

No apologies for absence were received.

### **2. Members' Disclosure of Interests**

The following disclosures of interests were made by Members:-

<b>Member</b>	<b>Minute Number</b>	<b>Subject</b>	<b>Type and Nature of Disclosure</b>
Councillor M G Jones	Minute 14	Authority to Appoint a Contractor for Goffs Park Development	Personal Interest – member of the Environmental and Community Services Select Committee at West Sussex County Council
Councillor P C Smith	Minute 10	Financial Outturn 2016/2017	Personal Interest – Board Member for Manor Royal Business Group

**3. Minutes**

The minutes of the meeting of the Cabinet held on [22 March 2017](#) were approved as a correct record and signed by the Chair.

**4. Public Question Time**

There were no questions from the public.

**5. 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 report CH/172.

**6. Matters Referred to the Cabinet**

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

**7. Report from the Chair of the Overview and Scrutiny Commission**

The comments from the Overview and Scrutiny Commission had been circulated to all Cabinet Members. Details of those comments are provided under the minute to which the comments refer.

**8. Treasury Management Outturn for 2016/17**

The Cabinet considered report [FIN/412](#) of the Head of Finance, Revenues and Benefits. The Cabinet was informed that Councillors were required under regulations to regularly review and scrutinise the Council's treasury management policy and performance. The report provided details of the outturn position for treasury activities and highlighted compliance with the Council's policies previously approved by Councillors.

The Cabinet noted the Overview and Scrutiny Commission's comments including their support from its meeting on 26 June 2017. The Leader responded to an issue raised at the Overview and Scrutiny Commission and confirmed that the company in question was not involved in armaments. The Cabinet then agreed the recommendations.

**RESOLVED**

That the Cabinet:

1. Approve the actual 2016/17 Prudential and Treasury Indicators as set out in report FIN/412.

2. Note the Annual Treasury Management Report for 2016/17.

### **Reason for Decision**

This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2016/17. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

## **9. K2 Crawley – Leisure Management Procurement**

The Cabinet considered report [HPS/009](#) of the Head of Partnership Services which considered options for the future management of K2 Crawley and made recommendations for the preferred procurement route and service priorities to be reflected in the procurement process.

The Cabinet noted the comments which had been made by the Overview and Scrutiny Commissions in particular:

- Concern regarding the length of the contract (featured in recommendation 'a'). As a result the Commission recommended to Cabinet that 10 or 15 years be offered simultaneously, together with the consideration of incentives and break clauses.
- Support for establishing a cross party working group (recommendation 'd'). However it was felt that the size was currently too small and the Commission therefore recommended to Cabinet that the membership of the cross party working group be 4:3.

The Cabinet supported the Commission's proposal that the membership of the working group be increased to 4:3, however it was of the view that more detailed financial information was necessary before a decision could be taken on the length of the contract. The Cabinet then agreed the recommendations with the revised working group ratio.

### **RESOLVED**

That the Cabinet:

1. Approve the recommended procurement approach and process for the future management of K2 Crawley, Broadfield 3G Pitch and Bewbush Gym, as set out in paragraphs 6.2 to 6.10 of report HPS/009.
2. Approve the recommended tender evaluation model as set out in paragraphs 6.11 to 6.12 of report HPS/009.
3. Approve a supplementary capital estimate of £170,000 to provide a further 79 car parking spaces (subject detailed design and planning approval) within the main K2 Crawley car park as outlined in paragraph 6.13 of report HPS/009. The supplementary capital estimate to be funded from useable capital receipts.
4. Agree to establish a cross party working group (4:3) to oversee the proposed procurement and tender evaluation process as set out in paragraph 6.15 of report HPS/009 and for the Head of Legal and Democratic Services to liaise with Group Leaders to obtain nominations.

5. Note that a further report will be brought to Cabinet in due course seeking approval of a preferred leisure management contractor.

### **Reason for Decision**

The recommendations are required to ensure management arrangements for K2 Crawley are in place after the expiry of the current contract in November 2018. The recommended procurement process aims to provide a balance between financial sustainability and supporting the Council's Budget Strategy whilst ensuring a high quality inclusive service which continues to support the wider health and wellbeing agenda for residents.

## **10. Financial Outturn 2016/2017**

The Cabinet considered report [FIN/411](#) of the Head of Finance, Revenues and Benefits which set out a summary of the Council's outturn for the year for both revenue and capital spend. The Cabinet congratulated officers on achieving such a positive outturn for the year and agreed the recommendations.

### **RESOLVED**

That the Cabinet:

1. Note the outturn for the year 2016/2017 as summarised in report FIN/411.
2. Approve an allocation of £11,000 from the £0.966m capital programme budget allocated for the Town Centre in 2017/18 to undertake design, style and format proposals for new signs as outlined in Paragraph 8.17 of report FIN/411. A further recommendation to draw down from this budget will be made at a later date to undertake this project.
3. Note the three S106 funded schemes that were added to the capital programme as outlined in Paragraph 9.1 of report FIN/411.
4. Approve a capital budget of £82,100 to be funded from S106 contributions for the Manor Royal Cycle Path as outlined in Paragraph 9.2 of report FIN/411.
5. Approve a capital budget of £23,000 which will be funded from S106 contributions for the County Mall Cycle Path as outlined in Paragraph 9.3 of report FIN/411.
6. Approve a capital budget of £30,000 which will be funded from S106 contributions for High Street Safety Improvements as outlined in Paragraph 9.4 of report FIN/411.
7. Approve the Play refurbishment schemes as identified in Paragraph 9.5 of report FIN/411 to be funded from S106 contributions.

That the Cabinet request that Full Council:

8. Approve an amended supplementary capital estimate as detailed in Paragraph 8.21 of report FIN/411 below of £3.465m, funded from £2.550m of 1-4-1 receipts and £915,000 from useable capital receipts.

### **Reason for Decision**

To report to Councillors on the outturn for the year compared to the approved Budget for 2016/17.

## **11. Crawley Homes Gas Repair Servicing and Renewal, Responsive Repairs, Voids and Planned Works Options for Service Provision**

The Cabinet considered report [CH/173](#) of the Head of Crawley Homes which outlined options for the future delivery and management of Crawley Homes repairs services at the expiration of the current contracts in 2019. The report also sought direction from the Cabinet as to the preferred option.

The Cabinet Member for Housing proposed that a cross party working group be established with a membership of 3:2 to evaluate the options for service provision, the proposal was agreed by the Cabinet. The Cabinet then agreed the recommendations contained within the report including the establishment of a cross party working group.

### **RESOLVED**

That the Cabinet:

1. Note the options for the delivery and management of Crawley Homes repair services as set out in report CH/173.
2. Approve the outsourcing model of service provision for Crawley Homes gas repair servicing and renewal and for the provision of responsive repairs, voids and planned works.
3. Delegate authority to the Head of Crawley Homes in consultation with the Cabinet Member for Housing to commence an OJEU procurement exercise for gas repairs, servicing and renewal for a contract to commence 1st April 2019.
4. Delegate authority to the Head of Crawley Homes in consultation with the Cabinet Member for Housing to commence an OJEU procurement exercise for responsive repairs, voids and planned works for a contract to commence 1st April 2020.
5. Note that further Cabinet authority will be required for the award of any contract for the provision for gas repair and servicing and the provision of responsive repairs, voids and planned works.
6. Authorise the Head of Crawley Homes to procure the appointment of Procurement and Specialist Legal Advisors, which will be met from existing budgets as outlined in Paragraphs 7.2 and 7.3 of report CH/173.

7. Delegate to the Head of Crawley Homes in consultation with the Cabinet Member for Housing to evaluate the options for alternative provision of a repairs contact centre. To note that the estimated additional cost to the Council for this service is £148,041 outlined in Paragraphs 6.6 and Appendix 1 of report CH/173, and the aim of the review would be to mitigate the additional costs or find acceptable alternatives.
8. Subject to a satisfactory review as outlined in Paragraph 2.7 of report CH/173, delegate authority to the Head of Crawley Homes in consultation with the Cabinet Member for Housing and Head of Finance, Revenues and Benefits, to negotiate with the current contractors Mears and Mitie to put in place an agreed alternative which might include the in-house option with transfer to the Council (TUPE), of call handling staff and for the Council to deliver this aspect of the service in advance of the appointment of a contractor for gas repair and servicing in 2019.
9. Note that additional ICT support may be required as set out in Paragraph 7.4 of report CH/173 to be funded through the current HRA Consultancy Budget with any additional costs for work required to be included within the HRA budget for 2018/19 as outlined in Paragraph 7.5 of report CH/173.
10. Agree to establish a cross party working group (3:2) to evaluate the options for service provision.

### **Reason for Decision**

To ensure that the provision of repairs and maintenance continues to be provided to Council tenants and leaseholders.

## **12. Terms of Reference and Nominations for 2017-2018**

The Cabinet considered report [LDS/131](#) of the Head of Legal and Democratic Services which sought approval of the Terms of Reference for the advisory group, working groups and support group which related to Cabinet functions. The Cabinet noted that, in relation to the Local Plan Working Group, the Labour Group had nominated Councillors M Ayling, C Cheshire, S Joyce, T Lunnon, A Skudder, P Smith and G Thomas.

### **RESOLVED**

That, subject to the inclusion of Councillors M Ayling, C Cheshire, S Joyce, T Lunnon, A Skudder, P Smith and G Thomas on the membership of the Local Plan Working Group, the Terms of Reference and representatives for the Budget Advisory Group, Local Plan Working Group, Economic Regeneration Working Group and Member Development Executive Support Group be as indicated in report LDS/131.

**13. Exclusion of the Public**

**RESOLVED**

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

**14. Authority to Appoint a Contractor for Goffs Park Development**

***(Exempt Paragraph 3 (information relating to financial and business affairs of any particular person (including the Authority holding that information)))***

The Cabinet considered report CH/172 of the Head of Crawley Homes which sought approval for the authority to enter into a Design and Build Contract for construction at Goffs Park Depot, Southgate, Crawley.

**RESOLVED**

That, subject to planning permission being granted, approve the appointment of the company identified in Paragraph 2.1 of report CH/172 under a single stage Design and Build Contract for the development at the Goffs Park Depot site. That the contractor work with the Council to undertake the detailed design and construction of the final scheme.

**Reason for Decision**

1. To provide housing for Crawley residents in need from the Housing Register.
2. To continue the delivery of dwellings funded from the HRA as part of the HRA Business Plan and the Council's Right to Buy receipts (one-for-one) funding programme.

**15. Closure of Meeting**

With the business of the Cabinet concluded, the Chair declared the meeting closed at 8.00pm.

P K LAMB  
Chair