

# Crawley Borough Council

## Minutes of the Full Council

Wednesday 27 February 2013 at 7.30 p.m.

### Present:

Councillor	B K Blake (Mayor).
Councillor	R G Burgess (Deputy Mayor)
Councillors	M L Ayling, S A Blake, Dr H S Bloom, N Boxall, K Brockwell, B J Burgess, L A M Burke, R D Burrett, C A Cheshire, D G Crow, V S Cumper, C L Denman, J I Denman, C R Eade, I T Irvine, M G Jones, S J Joyce, P K Lamb, R A Lanzer, C C Lloyd, L S Marshall-Ascough, C A Moffatt, C J Mullins, C Oxlade, D M Peck, B J Quinn, D J Shreeves, B A Smith, P C Smith, G Thomas, K J Trussell, L A Walker, W A Ward and K B Williamson.

### Also in Attendance:

Mr P Nicolson – Appointed Independent Person.

### Officers Present:

Lee Harris	Chief Executive
Ann-Maria Brown	Head of Legal and Democratic Services
Peter Browning	Director of Environment and Housing
David Covill	Director of Resources
Karen Hayes	Deputy Head of Finance
Dave Rawlings	Head of Finance, Revenues and Benefits
Phil Rogers	Director of Community Services
Roger Brownings	Democratic Services Officer

### 81. Paul Conway, Les Hench and Ron Cornwell

The Mayor asked all present at the meeting to observe one Minute's silence in memory of former Councillor Paul Conway, former Councillor and Mayor Les Hench, and Ron Cornwell MBE and president of the Crawley and Ifield British Legion, all of whom had recently passed away.

### 82. Apologies for Absence

Councillor A J E Quirk and Mr A Timms - Appointed Independent Person.

### 83. Members' Disclosures of Interests

The disclosures of interests made by Members were set out in **Appendix A** to the minutes.

It was noted that a Dispensation had been granted to all Members of the Council to enable them to participate in the setting of the Council's Budget, Council Tax and the Precept.

### 84. Communications

(i) Presentation of a Bahamas Olympian Team Shirt

The Mayor announced that he had been delighted to receive on behalf of the Council a Bahamas team shirt signed by some of that Country's Olympians, and presented to the Mayor by the High Commissioner for the Bahamas, Eldred E. Bethel. That presentation had been made during the Commissioner's recent visit to Crawley, and the Mayor informed the Council that the Commissioner had thanked Crawley for its support during the London 2012 Olympic Games and expressed his gratitude for the hospitality his Country's athletes had received when they stayed and trained in our town.

(ii) Notice of Precept

The Head of Legal and Democratic Services confirmed that the Notice of Precept had been received from the Police and Crime Commissioner for Sussex and West Sussex County Council following the publication of both the agenda and the minute book for this meeting of the Council. Those precept details had since been circulated to all Members, and a further recommendation (Recommendation 4) would be moved in relation to the 2013/2014 Budget and Council Tax.

### 85. Public Question Time

Motion to extend the period of time allocated for public questions

Councillor Jones referred to the large attendance of members of the public, the majority of whom were present due to issues relating to the proposed conversion of the K2, Crawley indoor bowls hall and the forthcoming welfare reforms. In accordance with Council Procedure Rule 13 (p), and following a discussion on this matter, it was moved by Councillor Jones and seconded:-

That Council Procedure Rule 9.7 be suspended so that an extension be allowed to the 30 minute limit allocated for public questions.

Whilst upon being put to the Council, the indication was that the motion had been lost, at the request of Councillor Jones, and in accordance with Council Procedure Rule 17.4, the names of the Members voting for and against the motion were recorded. That record was as set out below:-

**For the motion :-**

Councillors M L Ayling, C A Cheshire, D G Crow, C L Denman, I T Irvine, M G Jones, S J Joyce, P K Lamb, C C Lloyd, C A Moffatt, C J Mullins, C Oxlade, B J Quinn, D J Shreeves, B A Smith, P C Smith, G Thomas and W A Ward (18).

**Against the motion:-**

Councillors B K Blake, S A Blake, Dr H S Bloom, N Boxall, K Brockwell, B J Burgess, R G Burgess, L A M Burke, R D Burrett, J I Denman, C R Eade, R A Lanzer, L S Marshall-Ascough, D M Peck, K J Trussell, L A Walker and K B Williamson (17).

**Abstention:-**

None.

The motion was therefore CARRIED.

Questions asked in accordance with Council Procedure Rule 9 were as follows:

Questioner's Name	Subject	Name of Councillor(s) Responding
Mr D White	The proposed conversion of the K2, Crawley indoor bowls hall. In expressing concerns regarding that conversion, and whilst acknowledging that the associated proposals had currently been put on hold for further consideration, Mr White questioned the financial sense of potentially committing £665,000 capital expenditure for the conversion, and asked if the Council was prepared to believe that 887 people (who had responded to the recent public consultation) truly reflected the views of this town's residents who totalled over 106,000?	Councillor Crow emphasised that the proposed changes at K2, Crawley were a significant and challenging issue and that he would ensure that a great deal more work would be undertaken with all parties concerned before deciding whether the conversion work was a viable proposition or not. It was only a proposal at this stage and not a policy.
Mr R Burnham	The financial difficulties experienced by residents on benefits, including people with disabilities and others on low income, as a result of the Government's forthcoming welfare reforms. Particular reference was made to tenants who were deemed to be under occupying their properties, and as a result of which their benefit entitlement would be reduced. Mr Burnham	Councillors Williamson and Burrett responded to this matter. Councillor Burrett whilst indicating that he was not aware of the circumstances regarding the work referred to at Knowsley, reiterated that the Council's intention through its under-occupation policy was to help its tenants, and in the best way it possibly could, whilst working within its

Questioner's Name	Subject	Name of Councillor(s) Responding
	<p>felt that the Council should be more protective of these people, and in what he considered a way forward in respect of this matter, he referred to work which he identified as being undertaken at Knowsley Council, whereby the number of bedrooms in properties within its housing stock was being reclassified. He asked why the Council could not implement a similar exercise?</p>	<p>housing resource constraints and the legislation it was required to adhere to.</p>
<p>A member of the public who did not give her name.</p>	<p>The financial difficulties experienced by residents on benefits, including people with disabilities and others on low income, as a result of the Government's forthcoming welfare reforms. Particular reference was made to tenants who were deemed to be under occupying their properties, and as a result of which their benefit entitlement would be reduced.</p>	<p>Whilst Councillor B A Smith conveyed her own concerns regarding the reforms identified, Councillor Burrett reiterated that he was unaware of the circumstances regarding reclassification of housing stock, whilst referring to legislative requirements which had to be met in terms of the reforms concerned. Councillor B J Burgess emphasised that whilst the Council would do all that it could to support tenants who faced difficulties as a result of the reforms, she urged all such residents to make their concerns known to the Government.</p>
<p>Mr C Shaw</p>	<p>With regard to the proposed conversion of the K2, Crawley indoor bowls hall, Mr Shaw felt that the Council had not offered a viable alternative to bowlers at K2, Crawley. He advised that his Club's members currently paid £60 per year to bowl all year round at K2, Crawley. At Grattons they would have to pay a prohibitive</p>	<p>The Mayor referred to the notice of motion associated with the indoor bowls hall at K2, Crawley which was to be considered later at this meeting, and suggested that many of the answers sought in relation to the bowls hall would be provided at that time. Councillor Crow indicated that he would be</p>

Questioner's Name	Subject	Name of Councillor(s) Responding
	<p>£122. The provision of "Long Mats" in an open sports area was fraught with hazard and restrictive on play; there would be no containment for fast moving bowls, no surrounding ditch and no provision for bowls on a wide track to enter and leave the adjacent rink unimpeded as was the case in the K2, Crawley Bowls Hall.</p>	<p>investigating the provision of "Long Mats" to assess how viable it would be at K2, Crawley and would use the intended consultations as a further opportunity to consider this matter.</p>
<p>Mr C Webster</p>	<p>With regard to the proposed conversion of the K2, Crawley indoor bowls hall, Mr Webster passed a written proposal to Councillor Crow which was intended to keep the bowls facility in place, and asked if the Council would agree to meet with him to discuss that proposal?</p>	<p>Councillor Crow indicated that he would be happy to meet with Mr Webster, whilst Councillor C L Denman suggested that any planning involvement would require an appropriate input to enable the intended meeting to have a thorough discussion.</p>
<p>Mr D Seale</p>	<p>With regard to the proposed conversion of the K2, Crawley indoor bowls hall, Mr Seale referred to a recent meeting with residents at the Civic Hall to consider the conversion matter. He commented that he was "disgusted" by the limited attendance at that meeting of Members of the Conservative Group.</p>	<p>Councillors S A Blake, Mullins, Lanzer and Crow responded to this matter. Councillor Lanzer indicated that the meeting had been partly promoted on party political stationery by the Labour Group, and felt that the meeting would be unbalanced politically, with officers of the view that on this basis it would also be unwise for themselves to attend. Councillor Crow indicated that he was more than happy to meet with Mr Seale to discuss the K2, Crawley indoor bowls hall, and that his focus was to discuss this matter with the bowls community and other K2, Crawley users.</p>
<p>Mr J Herbert</p>	<p>Seeking clarification regarding local</p>	<p>Councillor Crow confirmed that at present there was</p>

Questioner's Name	Subject	Name of Councillor(s) Responding
	sponsorship to assist the proposed Crawley Heritage Centre.	not a Heritage Centre to market for sponsorship purposes, but that once the outcome was known in terms of the related local lottery fund bid, further progress would then be made. Councillor Crow indicated that Mr Herbert would be kept updated on any progress made.
Mr R Symonds	What steps were being taken to make Ifield Brook Meadow a nature reserve.	Councillor C L Denman indicated that Officers had met for early discussions on this matter with the Homes and Community Agency, and its response was currently awaited.
A member of the public who did not give her name.	The financial difficulties experienced by residents on benefits as a result of the Government's forthcoming welfare reforms, with particular reference to the Government's Minimum Wage.	The Mayor commented that the Minimum Wage was a Government policy and not a question for this Council to answer.
Mr T Bryant	With regard to the financial difficulties experienced by residents on benefits as a result of the Government's forthcoming welfare reforms, Mr Bryant referred to problems he was having in seeking advice on applying for discretionary housing payments.	Councillor Burrett advised Mr Bryant that the Council's Head of Finance, Revenues and Benefits would speak to him at an appropriate point during this meeting to talk to Mr Bryant about the application issues he had raised. Councillor B J Burgess encouraged residents with similar problems to seek assistance from their Ward Members.
Mr A Khan	Clarification sought in relation to the new welfare reforms and the development of the new Mosque in Langley Green	In view of the defamatory nature of comments made by Mr Khan, the Mayor ruled that no response should be made to the issues raised.

At this point of the meeting, the Mayor indicated that in view of the large amount of remaining business that the Council still had to deal with as part of its agenda for this meeting, and bearing in mind that the Council had already received a good number of questions as a result of the earlier move carried to extend public question time, he would be taking no more questions from the public at this meeting. With dissenting views being raised from the Public Gallery, and some Members conveying the view that the public question time should be continued further to allow all questions to be asked, the Mayor ruled that due to the continued disturbance, and that it had become impractical for the meeting to continue, the meeting be adjourned for 15 minutes, to allow order to be restored.

The meeting was then reconvened, and the Mayor advised that he would allow 4 further questions to be asked to facilitate the continuation of the meeting.

Questioner's Name	Subject	Name of Councillor(s) Responding
A member of the public who did not give her name.	The financial difficulties experienced by residents on benefits, including people with disabilities and others on low income, as a result of the Government's forthcoming welfare reforms, with particular reference made to tenants who were deemed to be under occupying their properties. In referring to what she considered a potential breach of Human Rights, the questioner asked that when tenants selected to move to a smaller property to avoid a reduction in benefits, would there be a sufficient supply of the required size of property to accommodate requests.	Councillors Lanzer explained that whilst he supported the principle of encouraging tenants to move to smaller properties, there was no guarantee that demand for smaller properties would be matched by supply, and that this presented a number of significant challenges to be faced by the Council. The Council was doing all that it could to increase its housing availability generally, whilst working within its finite resources and the legislation it was required to meet.
A member of the public who did not give her name.	The financial difficulties experienced by residents on benefits, including people with disabilities and others on low income, as a result of the Government's forthcoming welfare reforms, with particular reference made to tenants who were deemed to be under occupying their properties. The questioner referred to the availability of the required size of property to accommodate downsizing	Councillor Burrett reiterated that there was no guarantee that demand for smaller properties would be matched by supply, whilst the Council would endeavour to allow as many people as possible to downsize.

Questioner's Name	Subject	Name of Councillor(s) Responding
	requests.	
Mr R Saward	Mr Saward asked that rather than remove the Bowls Hall, could the Council for a period of say, two or three years, programme the current increased interest in gymnastics into the adjacent main sports hall by adjusting allocation and timing in the programme in order to properly monitor numbers participating, and determine whether this post Olympic demand would be sustained? In this way the bowlers would not lose their facility and the Council would be able to give itself the opportunity to not only review the developing situation on existing throughput and continuing unmet demand, but also the wisdom and viability of its intention to commit significant funding to this proposed project.	Councillor Crow suggested that the growth of interest in gymnastics had been occurring over many years and not just recently, and that he would be prepared to listen to all proposals put forward by all parties as part of his intended and further consultation process.
A member of the Independent Tenants Association whose name was not clear.	Councillor Burrett was asked if he would accept an invitation to attend the next meeting of the Independent Tenants Association to be held on 28 March 2013.	Councillor Burrett indicated that he would consider the invitation made, bearing in mind and subject to other diary commitments.

## 86. Appointment

### Vice-Chair of the Licensing Committee

It was moved by Councillor Lanzer and seconded by Councillor Williamson:-  
That Councillor Marshall-Ascough be appointment as Vice-Chair of the Licensing Committee.

Whilst this was the case, the Labour Group was proposing the appointment of Councillor Quinn as Vice-Chair of the Committee.



A vote was to be taken. At the request of Councillor Joyce, and in accordance with Council Procedure Rule 17.4, the names of the Members voting for and against the motion (as moved by Councillor Lanzer) were recorded as set out below:-

**For the motion :-**

Councillors B K Blake, S A Blake, Dr H S Bloom, N Boxall, K Brockwell, B J Burgess, R G Burgess, L A M Burke, R D Burrett, D G Crow, V S Cumper, C L Denman, J I Denman, C R Eade, R A Lanzer, L S Marshall-Ascough, D M Peck, K J Trussell, L A Walker and K B Williamson (20).

**Against the motion:-**

Councillors M L Ayling, C A Cheshire, I T Irvine, M G Jones, S J Joyce, P K Lamb, C C Lloyd, C A Moffatt, C J Mullins, C Oxlade, B J Quinn, D J Shreeves, B A Smith, P C Smith, G Thomas and W A Ward (16).

**Abstention:-**

None.

The motion was therefore CARRIED, and it was

**RESOLVED**

That Councillor Marshall-Ascough be appointment as Vice-Chair of the Licensing Committee.

**87. Minutes**

The minutes of the meeting of the Full Council held on 12 December 2012 were approved as a correct record and signed by the Mayor.

**88. Items for Debate (Reserved Items)**

Members indicated that they wished to speak on a number of items as set out in the following table:

<b>Minute Book Page no.</b>	<b>Committee/ Minute no.  (and the Member reserving the item for Debate)</b>	<b>Subject  (Decisions previously taken under delegated powers, reserved for debate only).</b>	<b>Subject  (Recommendation to Full Council, reserved for debate)</b>
31	Audit and Governance Committee 11 December 2012 Minute 18  <b>(Labour Group)</b>	Internal Audit Progress Report as at 20 November 2012	
44	Overview and Scrutiny Commission	Update Report on Homelessness	

<b>Minute Book Page no.</b>	<b>Committee/ Minute no. (and the Member reserving the item for Debate)</b>	<b>Subject (Decisions previously taken under delegated powers, reserved for debate only).</b>	<b>Subject (Recommendation to Full Council, reserved for debate)</b>
	14 January 2013 Minute 70  <b>(Labour Group)</b>		
52	Cabinet 16 January 2013 Minute 53  <b>(Labour Group)</b>	Protecting Grass Verges from Damage caused by inconsiderate Parking – Consideration of model Byelaw	
57	General Purposes Committee 28 January 2013 Minute 19  <b>(Labour Group)</b>		Review of Special Responsibility Allowances  (Recommendation 1)
57	General Purposes Committee 28 January 2013 Minute 20  <b>(Labour Group)</b>	Polling Arrangements: Use of Schools	
58	General Purposes Committee 28 January 2013 Minute 21  <b>(Labour Group)</b>		Changes to the Constitution  (Recommendation 2)
68	Overview and Scrutiny Commission 11 February 2013 Minute 81  <b>(Labour Group)</b>	West Sussex Health and Adult Social Care Select Committee (HASCSC)	
69	Overview and Scrutiny Commission 11 February 2013 Minute 83  <b>(Councillor Crow)</b>	Scrutiny Panels - Partnership Travel Strategy for Crawley Town FC Scrutiny Panel.	
72 and 73	Cabinet 13 February 2013 Minute 64  <b>(Labour Group)</b>		2013/2014 Budget and Council Tax  (Recommendations 3 and 4)
73	Cabinet 13 February 2013 Minute 65		Treasury Management Strategy 2013/2014

Minute Book Page no.	Committee/ Minute no.  (and the Member reserving the item for Debate)	Subject  (Decisions previously taken under delegated powers, reserved for debate only).	Subject  (Recommendation to Full Council, reserved for debate)
	<b>(Labour Group)</b>		(Recommendation 5)
75	Cabinet 13 February 2013 Minute 68  <b>(Labour Group and Councillor B J Burgess)</b>		Statement of Licensing Policy 2013-2018 – Licensing Act 2003  (Recommendation 6)

## 89. Reports of the Cabinet, Overview and Scrutiny Commission and Committees

Moved by Councillor R G Burgess (as the Deputy Mayor) and

### RESOLVED

That the following reports be received:

- (a) Development Control Committee – 3 December 2012..
- (b) Audit and Governance Committee – 11 December 2012.
- (c) Development Control Committee – 2 January 2013.
- (d) Overview and Scrutiny Commission – 14 January 2013.
- (e) Cabinet – 16 January 2013.
- (f) General Purposes Committee – 28 January 2013.
- (g) Development Control Committee – 4 February 2013.
- (h) Overview and Scrutiny Commission – 11 February 2013.
- (i) Cabinet – 13 February 2013.

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

Whilst at this point (and as indicated in the agenda) it was to be moved that the recommendations to Council, which had not been reserved for debate be adopted, this was not now necessary as all the recommendations to Council had, on this occasion, been reserved for debate.

## 90. Variation in the Order of Business

The Mayor announced a variation in the order of business in relation to Agenda Items 10 (Reserved Items), and Agenda Item 11 (Notices of Motion) so that the following order would apply:-

- (a) 2013/2014 Budget and Council Tax (Recommendations 3 and 4).
- (b) The Called-In item on the Crawley Homes Tenancy Policy.
- (c) The 2 Notices of Motion in the order shown in the agenda.
- (d) To deal with the items reserved for debate, including the remaining Recommendations 1, 2, 5 and 6.

On completion of the above business, the Council would resume with the business as set out in the agenda, with the next item being Item 12 (Members' Written Questions).

**91. 2013/2014 Budget and Council Tax  
(Cabinet – 13 February 2013)  
(Recommendation 3)**

The Cabinet had considered the reports FIN/293, and FIN/293a of the Head of Finance, Revenues and Benefits, which had also been considered by the Overview and Scrutiny Commission at its meeting on 11 February 2013.

With regard to the future funding of the Lifeline Service, Councillor Lanzer commented that he was working with the Portfolio Holder for Housing to consider options for future support of the service, and a report on this matter would be presented to the March meeting of the Overview and Scrutiny Commission.

The Council placed on record its thanks and appreciation for the work carried out by the Budget Advisory Group (BAG), Officers in the Finance Division and staff generally, including the unions, for their constructive engagement as part of the budget process.

The Council undertook a full and detailed debate and considered all the issues raised.

Moved by Councillor Lanzer, seconded and

**RESOLVED**

- (1) That the proposed 2013/14 General Fund Budget including the savings and growth proposals as set out in sections 4 and 5 and Appendix 1 and revised Appendix X to reports FIN/293 and FIN/293a, be approved.
- (2) That the proposed 2013/14 Housing Revenue Account Budget as set out in section 9 and Appendix 3 to the report FIN/293, be approved.
- (3) That the 2012/13 to 2015/16 capital programme and funding as set out in paragraph 10.4 of the report FIN/293, be approved.
- (4) That the Council's share of Council Tax for 2013/14 be frozen at £187.83 for a band D property.
- (5) That the pay policy statement as outlined in section 17 and Appendix 5 to the report FIN/293, be approved.

**92. 2013/2014 Budget and Council Tax  
(Cabinet – 13 February 2013)  
(Recommendation 4)**

Councillor Lanzer also referred to the receipt of the Notice of Precept from the Police and Crime Commissioner for Sussex and West Sussex County Council, which had been circulated separately.

Following approval of the Council's budget in Recommendation 3, it was moved by Councillor Lanzer, seconded and

**RESOLVED**

- (1) That it be noted that on 28 January 2013 the Chair of the Cabinet under delegated powers calculated the Council Tax Base 2013/14 for the whole Council area as **31,790** [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
- (2) That the Council Tax requirement for the Council's own purposes for 2013/14 is calculated at £5,971,116
- (3) That the following amounts be calculated for the year 2013/14 in accordance with Sections 31 to 36 of the Act:

(a)	£121,886,530	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
(b)	£115,915,414	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	£5,971,116	being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
(d)	£187.83	being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
(e)	£0	being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
(f)	£187.83	being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

- (4) That it be noted that the County Council and the Police and Crime Commissioner for Sussex have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below (headed Council Tax Schedule 2013/14).
- (5) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2013/14 for each part of its area and for each of the categories of dwellings.

**COUNCIL TAX SCHEDULE 2013/14**

	CRAWLEY BOROUGH COUNCIL	WEST SUSSEX COUNTY COUNCIL	POLICE AND CRIME COMMISSIONER FOR SUSSEX	<b>TOTAL</b>
BAND A	£125.22	£774.66	£92.28	<b>£992.16</b>
BAND B	£146.09	£903.77	£107.66	<b>£1,157.52</b>
BAND C	£166.96	£1,032.88	£123.04	<b>£1,322.88</b>
BAND D	£187.83	£1,161.99	£138.42	<b>£1,488.24</b>
BAND E	£229.57	£1,420.21	£169.18	<b>£1,818.96</b>
BAND F	£271.31	£1,678.43	£199.94	<b>£2,149.68</b>
BAND G	£313.05	£1,936.65	£230.70	<b>£2,480.40</b>
BAND H	£375.66	£2,323.98	£276.84	<b>£2,976.48</b>

- (6) That it be determined in accordance with Section 52ZB Local Government Finance Act 1992 that the Council 's basic amount of Council Tax for 2013/14 is NOT excessive in accordance with principles approved by the Secretary of State under Section 52ZC of the Act.

**93. Crawley Homes Tenancy Policy - Called in Decision  
(Cabinet – 16 January 2013)**

The Cabinet had considered report CH/105 of the Head of Crawley Homes, which had also been considered by the Overview and Scrutiny Commission at its meeting on 14 January 2013. In concluding its considerations on this matter, the Cabinet had resolved as follows:-

1. That the results of the consultation process undertaken in respect of the draft Tenancy Policy be considered in due course.
2. To thereafter approve and adopt the draft Tenancy Policy as set out in revised Appendix 1 to the report, and that it take effect from 1 April 2013.
3. That authority to jointly agree the wording of the Tenancy Agreements needed to operate the Tenancy Policy, be delegated to the Head of Crawley Homes and the Head of Legal and Democratic Services.

### **Clerical Correction**

#### Explanation

Parts 1. and 2. of the Cabinet's resolution, state:

"1. That the results of the consultation process undertaken in respect of the draft Tenancy Policy be considered in due course."

"2. To thereafter approve and adopt the draft Tenancy Policy as set out in revised Appendix 1 to the report, and that it take effect from 1 April 2013."

Whilst these decisions were made in accordance with the Recommendations set out in the joint report CH/105 to the 14 January meeting of the Overview and Scrutiny Commission and to the 16 January meeting of the Cabinet, Members acknowledged that in actual fact the results of the consultation process (as referred to), had already been considered by both the OSC and the Cabinet at those meetings. Therefore, the decisions made by the Cabinet on 16 January 2013, had not been recorded accurately in the minute. With this in mind a clerical correction was required to correctly record the decision taken on 16 January 2013. The correction is set out below:-

Delete Parts 1. and 2. of the Cabinet's resolution, which read as follows:

"1. That the results of the consultation process undertaken in respect of the draft Tenancy Policy be considered in due course."

"2. To thereafter approve and adopt the draft Tenancy Policy as set out in revised Appendix 1 to the report, and that it take effect from 1 April 2013."

And replace with:

"1. That with Members having considered the results of the consultation process, the Tenancy Policy as set out in the revised Appendix 1 to the report be approved and adopted, and that it take effect from 1 April 2013."

#### The full resolution as corrected is as follows:

"1. That with Members having considered the results of the consultation process, the Tenancy Policy as set out in the revised Appendix 1 to the report be approved and adopted, and that it take effect from 1 April 2013.

2. That authority to jointly agree the wording of the Tenancy Agreements needed to operate the Tenancy Policy, be delegated to the Head of Crawley Homes and the Head of Legal and Democratic Services."

In accordance with Scrutiny Procedure Rule 14, and on the associated grounds set out in the minutes of the Cabinet meeting of 16 January 2013, the Cabinet's decision had been called in by Councillor Jones and had, therefore, been suspended pending reconsideration of the matter by the Council at this meeting.

In connection with this item, and bearing in mind the clerical correction made to the Cabinet's decision, it was moved by Councillor Lanzer and seconded by Councillor Burrett:-

That no objection be raised by the Council to the decision of the Cabinet at its meeting on 16 January 2013 (as amended) concerning the Crawley Homes Tenancy Policy and that the decision be implemented forthwith.

The Council undertook a full and detailed discussion on the Tenancy Policy and considered all the issues raised.

At the request of Councillor Mullins, and in accordance with Council Procedure Rule 17.4, the names of the Members voting for and against the motion (as moved by Councillor Lanzer) were recorded as set out below:-

**For the motion :-**

Councillors B K Blake, S A Blake, Dr H S Bloom, N Boxall, K Brockwell, B J Burgess, R G Burgess, L A M Burke, R D Burrett, D G Crow, V S Cumper, C L Denman, J I Denman, C R Eade, R A Lanzer, L S Marshall-Ascough, D M Peck, K J Trussell, L A Walker and K B Williamson (20).

**Against the motion:-**

Councillors M L Ayling, I T Irvine, M G Jones, S J Joyce, P K Lamb, C C Lloyd, C A Moffatt, C J Mullins, C Oxlade, B J Quinn, D J Shreeves, B A Smith, P C Smith, G Thomas and W A Ward (15).

**Abstention:-**

None.

The motion was therefore CARRIED, and it was

**RESOLVED**

That no objection be raised by the Council to the decision of the Cabinet at its meeting on 16 January 2013 (as amended) concerning the Crawley Homes Tenancy Policy and that the decision be implemented forthwith.

**94. Notice of Motion (1of 2)**

The Full Council considered a Notice of Motion in accordance with Council Procedure Rule 12, which was moved by Councillor Mullins and seconded by Councillor P C Smith.

**Amendments**

In connection with this motion, it was moved by Councillor Crow and seconded by Councillor C L Denman that the motion be amended as follows (Additional / amended text is shown in bold, whilst deleted text has been crossed through):-

“The council recognises that the facilities and services provided by Crawley Borough Council are offered on the basis of equality and accessibility for all residents of the town. The council further recognises that this is a commitment to ensure that the range of activities taking place in council-owned facilities encompasses the needs of all residents of the town, whether old or young, able-bodied or disabled, regardless of colour, creed, gender or sexual orientation.



The proposal to remove the indoor bowling facility at K2, Crawley which is currently being considered ~~discriminates against the elderly~~ **impacts on bowls players, many of whom tend to be older citizens**, for whom bowling forms a significant part of the leisure provision at K2, Crawley. **If implemented without viable and realistic alternatives**, this proposal takes away a much needed facility that gives our older generation a social outlet and helps to keep them fit and well.

The council also understands the need for improved gymnastics provision in the town, ensuring that the town's young people are able to reap the benefits of this activity.

This current proposal to remove the indoor bowling from K2, Crawley is ~~unacceptable~~, **needs fully exploring and careful consideration before any decision is made** - we need a facility which meets the needs of all our community and to that end:

- 1) The council resolves to ~~ensure that the indoor bowling facility remains at K2, Crawley and drops all plans for its removal~~ **look at all provision for bowls in Crawley and ensure that good facilities continue to exist that cater for the demand.**
- 2) The council resolves to ~~set up a working group~~ to look at improving gymnastics provision with a view to finding an acceptable resolution to current unmet need without ~~sacrificing~~ **having an unfair impact on** provision for other activities in the town.
- 3) The council ~~resolves to undertake an overall review of~~ **requests that the Cabinet Member for Leisure and Cultural Services reports back to the Full Council on** the use of space and sporting provision at K2, Crawley to ensure that all the facility is being used to its maximum potential and meeting the needs of the whole of the town's residents."

The Council then undertook a full and detailed discussion which considered all the issues arising. That discussion included a point of order raised by Councillor Mullins. In this connection, Councillor Mullins suggested that constitutionally, an amendment should seek to address the same issue that its reporting to amend. The main purpose of the motion was to seek to protect the bowls facility at K2, Crawley and he considered that the amendments moved by Councillor Crow did not reflect that objective and should therefore be treated as a separate motion. In response to Councillor Mullins, and following comments from other Members, the Mayor emphasised that unless the amendments completely negated the original motion, then it was acceptable to treat them as amendments. On balance the amendments were in the spirit of the motion as originally proposed, and with this in mind, and based on advice he had received from the Council's Monitoring Officer, the Mayor considered that the amendments moved by Councillor Crow did not negate the original motion.

## 95. Duration of the Meeting

As the business had not been completed within the two and a half hours specified within Council Procedure Rule 2.2, the Mayor required the Council to consider if it wished to continue with the meeting, and having put it to the Council, the meeting was continued for an additional period not exceeding 30 minutes.

**96. Notice of Motion (1of 2)**

**(Continued)**

The Council undertook a full and detailed debate on the Notice of Motion and considered all the issues raised.

Closure Motion

This matter continued to be debated at length, and in accordance with Council Procedure Rule 15.12 (a) (ii), it was moved by Councillor S A Blake and seconded:-

That the question be now put.

Upon being put to the Council, the Closure Motion was CARRIED.

At the request of Councillor Jones, and in accordance with Council Procedure Rule 17.4, the names of the Members voting for and against the amendments above were recorded as set out below:-

**For the amendments:-**

Councillors B K Blake, S A Blake, Dr H S Bloom, N Boxall, K Brockwell, B J Burgess, R G Burgess, L A M Burke, R D Burrett, D G Crow, C L Denman, J I Denman, C R Eade, R A Lanzer, L S Marshall-Ascough, D M Peck, K J Trussell, L A Walker and K B Williamson (19).

**Against the amendments:-**

Councillors M L Ayling, I T Irvine, M G Jones, S J Joyce, P K Lamb, C C Lloyd, C A Moffatt, C J Mullins, C Oxlade, B J Quinn, D J Shreeves, B A Smith, P C Smith, G Thomas and W A Ward (15).

**Abstention:-**

None.

The amendments were therefore CARRIED

At the request of Councillor P C Smith, and in accordance with Council Procedure Rule 17.4, the names of the Members voting for and against the substantive motion were recorded as set out below:-

**For the motion:-**

Councillors B K Blake, S A Blake, Dr H S Bloom, N Boxall, K Brockwell, B J Burgess, R G Burgess, L A M Burke, R D Burrett, D G Crow, C L Denman, J I Denman, C R Eade, R A Lanzer, L S Marshall-Ascough, D M Peck, K J Trussell, L A Walker and K B Williamson (19).

**Against the motion:-**

Councillors M L Ayling, I T Irvine, M G Jones, S J Joyce, P K Lamb, C C Lloyd, C A Moffatt, C J Mullins, C Oxlade, B J Quinn, D J Shreeves, B A Smith, P C Smith, G Thomas and W A Ward (15).

**Abstention:-**

None.

The motion was therefore CARRIED, and it was

**RESOLVED**

The council recognises that the facilities and services provided by Crawley Borough Council are offered on the basis of equality and accessibility for all residents of the town. The council further recognises that this is a commitment to ensure that the range of activities taking place in council-owned facilities encompasses the needs of all residents of the town, whether old or young, able-bodied or disabled, regardless of colour, creed, gender or sexual orientation.

The proposal to remove the indoor bowling facility at K2, Crawley which is currently being considered impacts on bowls players, many of whom tend to be older citizens, for whom bowling forms a significant part of the leisure provision at K2, Crawley. If implemented without viable and realistic alternatives, this proposal takes away a much needed facility that gives our older generation a social outlet and helps to keep them fit and well.

The council also understands the need for improved gymnastics provision in the town, ensuring that the town's young people are able to reap the benefits of this activity.

This current proposal to remove the indoor bowling from K2, Crawley needs fully exploring and careful consideration before any decision is made - we need a facility which meets the needs of all our community and to that end:

- 1) The council resolves to look at all provision for bowls in Crawley and ensure that good facilities continue to exist that cater for the demand.
- 2) The council resolves to look at improving gymnastics provision with a view to finding an acceptable resolution to current unmet need without having an unfair impact on provision for other activities in the town.
- 3) The council requests that the Cabinet Member for Leisure and Cultural Services reports back to the Full Council on the use of space and sporting provision at K2, Crawley to ensure that all the facility is being used to its maximum potential and meeting the needs of the whole of the town's residents.

**97. Duration of the Meeting**

The business of the meeting had still not been completed within the earlier agreed 30 minute extension (Minute No. 95 refers), and whilst a number of items of business were still outstanding (including the second of two Notices of Motion and Recommendations 1, 2, 5 and 6), the Mayor proceeded to close the meeting. With the Mayor having put it to the Council, the vote was in favour of not continuing the meeting. This being the case, and in accordance with Council Procedure Rule 2.2, the Council proceeded to deal with the Notice of Motion and Recommendations for which decisions were required, and which had not been dealt with within two and half hours and the expiry of the agreed 30 minute extension.

**98. Notice of Motion (2 of 2)**

The Notice of Motion as moved by Councillor Mullins and seconded by Councillor Lamb in accordance with Council Procedure Rule 12, was as follows:-

“This council recognises the trend for companies to employ workers on low pay, causing many to have the need to claim from the Housing and benefit systems.

Crawley Borough Council resolves to sign up to the Living Wage campaign, and its principles.

Crawley Borough Council therefore also resolves to ensure that all contractors, employed by this Council, agree to pay at least the current level set by the Living Wage campaign as the Living Wage.

In this we recognise the Council's current contracts will need to be investigated, with the intention to ensure that living wage levels are consistently achieved. All future contracts made by the council will be subject to this policy.”

Motion of Referral

In accordance with Council Procedure Rule 2.2 (d), It was moved by Councillor Lanzer and seconded:-

That the Notice of Motion be referred to the Environment and Prosperity Policy Development Forum.

Upon being put to the Council, the motion was CARRIED, and it was

**RESOLVED**

That the Notice of Motion be referred to the Environment and Prosperity Policy Development Forum.

**99. Review of Special Responsibility Allowances  
(General Purposes Committee – 28 January 2013)  
(Recommendation 1)**

It was moved by Councillor Burrett and seconded:-

That the Members' Allowances Scheme be amended with effect from April 2013 to restrict the payment of Special Responsibility Allowances to one per Member.

At the request of Councillor Moffatt, and in accordance with Council Procedure Rule 17.4, the names of the Members voting for and against the motion were recorded as set out below:-

**For the motion:-**

Councillors B K Blake, S A Blake, Dr H S Bloom, N Boxall, K Brockwell, B J Burgess, R G Burgess, L A M Burke, R D Burrett, D G Crow, C L Denman, J I Denman, C R Eade, I T Irvine, M G Jones, S J Joyce, P K Lamb, R A Lanzer, C C Lloyd, L S Marshall-Ascough, C A Moffatt, C Oxlade, D M Peck, B J Quinn, D J Shreeves, B A Smith, P C Smith, G Thomas K J Trussell, W A Ward and K B Williamson (31).

**Against the motion:-**

Councillors M L Ayling and C J Mullins (2).

**Abstention:-**

None.

The motion was therefore CARRIED, and it was

**RESOLVED**

That the Members' Allowances Scheme be amended with effect from April 2013 to restrict the payment of Special Responsibility Allowances to one per Member.

**100. Changes to the Constitution  
(General Purposes Committee – 28 January 2013)  
(Recommendation 2)**

It was moved by Councillor Burrett, seconded and

**RESOLVED**

That the amendments to the Constitution as proposed in Appendix 1 to the minutes of the General Purposes Committee meeting of 28 January 2013, be agreed.

**101. Treasury Management Strategy 2013/2014  
(Cabinet – 13 February 2013)  
(Recommendation 5)**

The Cabinet had considered report FIN/291 of the Head of Finance, Revenues and Benefits, which had also been considered by the Overview and Scrutiny Commission at its meeting on 11 February 2013.

It was moved by Councillor Lanzer, seconded and

**RESOLVED**

- (1) That the Treasury Prudential Indicators and the Minimum Revenue Provision (MRP) Statement contained within Section 4 of the report be approved.
- (2) That the Treasury Management Strategy contained within Section 5 of the report be approved.
- (3) That the Investment Strategy contained within Section 6, and the detailed criteria included in Appendix 3 to the report, be approved.

**102. Statement of Licensing Policy 2013-2018 – Licensing Act 2003  
(Cabinet – 13 February 2013)  
(Recommendation 6)**

The Cabinet had considered report PES/106 of the Head of Planning & Environmental Services.

It was moved by Councillor Lanzer, seconded and

**RESOLVED**

That the proposed revised Statement of Licensing Policy for the 5 year period from 1 March 2013 be approved and adopted.

**103. Closure of Meeting**

The meeting ended at 10.45 p.m.

B K Blake  
**Mayor**

**APPENDIX A**

**Members' Disclosures of Interest**

<b>Member</b>	<b>Agenda Item No.</b>	<b>Name and date of Cabinet/ Committee and Minute No.</b>	<b>Minute Book Page No.</b>	<b>Subject or Planning Application No.</b>	<b>Type and Nature of Disclosure.</b>
Cllr Brockwell	9(1)(a)	Development Control 3 December 2012 Minute 48	P24	CR/2012/0481/FUL Rosehip Cottage, Forge Wood, Pound Hill, Crawley	Personal & prejudicial interest.
Councillor R D Burrett	9 (1) (a)	Development Control Committee 3 December 2012 Minute 48	P24	Planning Applications List – Application CR/2012/0481/FUL – Rosehip Cottage, Forge Wood, Pound Hill, Crawley	Personal Interest as the owner of the site is a fellow Ward Councillor.
Cllr Thomas	9(1)(a)	Development Control 3 December 2012 Minute 48	P29	CR/2012/0500/CAC 24 Brighton Road, Crawley	Personal interest as he was a member of the Central Crawley Conservation Area Advisory Committee
Cllr Ward	9(1)(a)	Development Control 3 December 2012 Minute 48	P29	CR/2012/0500/CAC 24 Brighton Road, Crawley	Personal interest as he was a member of the Central Crawley Conservation Area Advisory Committee
Cllr G Thomas	9(1)(c)	Development Control 2 January 2013 Minute 48	P35	CR/2012/0395/FUL Land S/O & R/O 24 Brighton Road, Southgate, Crawley	Personal and prejudicial interest.
Councillor Dr H S Bloom	9(1)(d) and 10 (2)	Overview and Scrutiny Commission 14 January 2013 Minute 68	P42	Protecting Grass Verges from Damage caused by inconsiderate parking – Consideration of Model Byelaw	Personal – Member of West Sussex County Council
Councillor R G Burgess	9(1)(d) and 10 (2)	Overview and Scrutiny Commission 14 January 2013 Minute 68.	P42	Protecting Grass Verges from Damage caused by inconsiderate parking – Consideration of Model Byelaw	Personal – Member of West Sussex County Council
R Burrett	9(1)(d) and 10 (2)	Overview and Scrutiny Commission 14 January 2013 Minute 68	P42	Protecting Grass Verges from Damage caused by inconsiderate parking – Consideration of Model Byelaw	Personal Interest as a Member of West Sussex County Council
D G Crow	9(1)(d) and 10 (2)	Overview and Scrutiny Commission 14 January 2013 Minute 68	P42	Protecting Grass Verges from Damage caused by inconsiderate parking – Consideration of Model Byelaw	Personal – Member of West Sussex County Council

<b>Member</b>	<b>Agenda Item No.</b>	<b>Name and date of Cabinet/ Committee and Minute No.</b>	<b>Minute Book Page No.</b>	<b>Subject or Planning Application No.</b>	<b>Type and Nature of Disclosure.</b>
R A Lanzer	9(1)(d) and 10 (2)	Overview and Scrutiny Commission 14 January 2013 Minute 68	P42	Protecting Grass Verges from Damage caused by inconsiderate parking – Consideration of Model Byelaw	Personal – Member of West Sussex County Council and Member of the Local Access Forum for West Sussex
Councillor B A Smith	9(1)(d) and 10 (2)	Overview and Scrutiny Commission 14 January 2013 Minute 68	P42	Protecting Grass Verges from Damage caused by inconsiderate parking – Consideration of Model Byelaw	Personal – Member of West Sussex County Council
Councillor Dr H S Bloom	9(1)(e) and 10 (2)	Cabinet 16 January 2013 Minute 53	P52	Protecting Grass Verges from Damage caused by inconsiderate parking – Consideration of Model Byelaw	Personal – Member of West Sussex County Council
Councillor R G Burgess	9(1)(e) and 10 (2)	Cabinet 16 January 2013 Minute 53	P52	Protecting Grass Verges from Damage caused by inconsiderate parking – Consideration of Model Byelaw	Personal – Member of West Sussex County Council
R Burrett	9(1)(e) and 10 (2)	Cabinet 16 January 2013 Minute 53	P52	Protecting Grass Verges from Damage caused by inconsiderate parking – Consideration of Model Byelaw	Personal Interest as a Member of West Sussex County Council
R Burrett	9(1)(e)	Cabinet 16 January 2013 Minute 54	P53	The dedication of existing pathways as Public Rights of Way under the Highways Act 1980	Personal interest as a Member of West Sussex County Council
D G Crow	9(1)(e) and 10 (2)	Cabinet 16 January 2013 Minute 53	P52	Protecting Grass Verges from Damage caused by inconsiderate parking – Consideration of Model Byelaw	Personal – Member of West Sussex County Council
D G Crow	9(1)(e)	Cabinet 16 January 2013 Minute 54	P53	The dedication of existing pathways as Public Rights of Way under the Highways Act 1980	Personal – Member of West Sussex County Council, and Member of the Local Access Forum for West Sussex
R A Lanzer	9(1)(e) and 10 (2)	Cabinet 16 January 2013 Minute 53	P52	Protecting Grass Verges from Damage caused by inconsiderate parking – Consideration of Model Byelaw	Personal – Member of West Sussex County Council and Member of the Local Access Forum for West Sussex.



<b>Member</b>	<b>Agenda Item No.</b>	<b>Name and date of Cabinet/ Committee and Minute No.</b>	<b>Minute Book Page No.</b>	<b>Subject or Planning Application No.</b>	<b>Type and Nature of Disclosure.</b>
R A Lanzer	9(1)(e)	Cabinet 16 January 2013 Minute 54	P53	The dedication of existing pathways as Public Rights of Way under the Highways Act 1980	Personal – Member of West Sussex County Council and Member of the Local Access Forum for West Sussex
Councillor B A Smith	9(1)(e) and 10 (2)	Cabinet 16 January 2013 Minute 53	P52	Protecting Grass Verges from Damage caused by inconsiderate parking – Consideration of Model Byelaw	Personal – Member of West Sussex County Council
Councillor R D Burrett	9(1)(f) and 10 (2)	General Purposes 28 January 2013 Minute 19	P57	Review of Special Responsibility Allowances	Personal Interest as one of the individuals who would currently be affected by the proposal.
Councillor Dr. H S Bloom	9(1)(h) and 10 (2)	Overview and Scrutiny Commission 11 February 2013 Minute 79	P 66	2013/14 Budget and Council Tax (Lifeline)	Personal – Member of West Sussex County Council (WSCC)
Councillor R G Burgess	9(1)(h) and 10 (2)	Overview and Scrutiny Commission 11 February 2013 Minute 79	P 66	2013/14 Budget and Council Tax (Lifeline)	Personal – Member of WSCC
Councillor R D Burrett	9 (1) (h) and 10 (2)	Overview and Scrutiny Commission 11 February 2013 Minute 79	P 66	2013/2014 Budget and Council Tax (discussion relating to Lifeline)	Personal Interest as a Member of West Sussex County Council.
Councillor R D Burrett	9 (1) (h)	Overview and Scrutiny Commission 11 February 2013 Minute 81	P 68	West Sussex Health and Adult Social Care Select Committee (HASCSC)	Personal Interest as a Member of West Sussex County Council.
Councillor R D Burrett	9 (1) (h)	Overview and Scrutiny Commission 11 February 2013 Minute 82	69	West Sussex Joint Scrutiny Steering Group	Personal Interest as a Member of West Sussex County Council serving on the West Sussex Joint Scrutiny Steering Group.

<b>Member</b>	<b>Agenda Item No.</b>	<b>Name and date of Cabinet/ Committee and Minute No.</b>	<b>Minute Book Page No.</b>	<b>Subject or Planning Application No.</b>	<b>Type and Nature of Disclosure.</b>
Councillor C C Lloyd	9(1)(h)	Overview and Scrutiny Commission 11 February 2013 Minute 84	P 70	Forward Plan – from 1 <sup>st</sup> March 2013 and Provisional List of reports for the Commission's next meeting.	A Personal and Disclosable Pecuniary Interest as a resident of Malthouse Road within the area under consideration in the proposed new conservation area designations. This was an item raised under the Fwd Plan.
Councillor B A Smith	9(1)(h) and 10 (2)	Overview and Scrutiny Commission 11 February 2013 Minute 79	P66	2013/14 Budget and Council Tax (Lifeline)	Personal – Member of WSCC
Councillor B K Blake	9(1)(i) and 10 (2)	Cabinet 13 February 2013 Minute 64	P72	2013/14 Budget and Council Tax (Precept)	Personal – Member of WSCC
Councillor N Boxall	9(1)(i)	Cabinet 13 February 2013 Minute 67.	P74	Manor Royal Business Improvement District	Disclosable Pecuniary Interest – Councillor Boxall's employer was a ratepayer in the Manor Royal Business District and would be entitled to vote in the ballot and would be subject to the business rates levy should the BID be successful
Councillor Dr. H S Bloom	9(1)(i) and 10 (2)	Cabinet 13 February 2013 Minute 64	P72	2013/14 Budget and Council Tax (Lifeline)	Personal – Member of West Sussex County Council (WSCC)
Councillor R G Burgess	9(1)(i) and 10 (2)	Cabinet 13 February 2013 Minute 64	P72	2013/14 Budget and Council Tax (Lifeline)	Personal – Member of WSCC
Councillor C L Denman	9(1)(i)	Cabinet 13 February 2013 Minute 67.	P74	Manor Royal Business Improvement District	Personal Interest - Councillor Denman was a member of the Manor Royal Business Group, through her role as Portfolio Holder for Planning and Economic Development.

<b>Member</b>	<b>Agenda Item No.</b>	<b>Name and date of Cabinet/ Committee and Minute No.</b>	<b>Minute Book Page No.</b>	<b>Subject or Planning Application No.</b>	<b>Type and Nature of Disclosure.</b>
Councillor L S Marshall-Ascough	9(1)(i)	Cabinet 13 February 2013 Minute 67.	P74	Manor Royal Business Improvement District	Disclosable Pecuniary Interest – Councillor Marshall-Ascough's employer was a ratepayer in the Manor Royal Business District and would be entitled to vote in the ballot and would be subject to the business rates levy should the BID be successful
Councillor B A Smith	9(1)(i) and 10 (2)	Cabinet 13 February 2013 Minute 64	P72	2013/14 Budget and Council Tax (Lifeline)	Personal – Member of WSCC
Councillor B A Smith	9(1)(i) and 10 (2)	Cabinet 13 February 2013 Minute 64	P72	2013/14 Budget and Council Tax (Precept)	Personal – Member of WSCC
Councillor P C Smith	9(1)(i)	Cabinet 13 February 2013 Minute 67.	P74	Manor Royal Business Improvement District	Disclosable Pecuniary Interest – Councillor Smith's employer was a ratepayer in the Manor Royal Business District and would be entitled to vote in the ballot and would be subject to the business rates levy should the BID be successful
Councillor K B Williamson	9(1)(i) and 10 (2)	Cabinet 13 February 2013 Minute 64.	P72	2013/2014 Budget and Council Tax	Personal Interest – Councillor Williamson was a Member of the Overview and Scrutiny Commission when the item was considered.
Councillor K B Williamson	9(1)(i) and 10 (2)	Cabinet 13 February 2013 Minute 65.	P73	Treasury Management Strategy 2013/2014	Personal Interest – Councillor Williamson was a Member of the Overview and Scrutiny Commission when the item was considered.
Councillor K B Williamson	9(1)(i)	Cabinet 13 February 2013 Minute 67.	P74	Manor Royal Business Improvement District	Disclosable Pecuniary Interest – Councillor Williamson's employer was a ratepayer in the Manor Royal Business District and would be entitled to vote in the ballot and would be subject to the business rates levy should the BID be successful.

<b>Member</b>	<b>Agenda Item No.</b>	<b>Name and date of Cabinet/ Committee and Minute No.</b>	<b>Minute Book Page No.</b>	<b>Subject or Planning Application No.</b>	<b>Type and Nature of Disclosure.</b>
Lee Harris, Chief Executive (Head of Paid Service)	9(1)(i) and (10) (2)	Cabinet 13 February 2013 Minute 64.	P72	2013/2014 Budget and Council Tax	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.
Ann-Maria Brown, Head of Legal and Democratic Services, and Monitoring Officer	9(1)(i) and (10) (2)	Cabinet 13 February 2013 Minute 64.	P72	2013/2014 Budget and Council Tax	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.
Peter Browning, Director of Environment and Housing	9(1)(i) and (10) (2)	Cabinet 13 February 2013 Minute 64.	P72	2013/2014 Budget and Council Tax	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.
Roger Brownings, Democratic Services Officer	9(1)(i) and (10) (2)	Cabinet 13 February 2013 Minute 64.	P72	2013/2014 Budget and Council Tax	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.
David Covill, Director of Resources	9(1)(i) and (10) (2)	Cabinet 13 February 2013 Minute 64.	P72	2013/2014 Budget and Council Tax	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.
Karen Hayes Deputy Head of Finance	9(1)(i) and (10) (2)	Cabinet 13 February 2013 Minute 64.	P72	2013/2014 Budget and Council Tax	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.
Dave Rawlings Head of Finance, Revenues and Benefits	9(1)(i) and (10) (2)	Cabinet 13 February 2013 Minute 64.	P72	2013/2014 Budget and Council Tax	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.
Phil Rogers, Director of Community Services	9(1)(i) and (10) (2)	Cabinet 13 February 2013 Minute 64.	P72	2013/2014 Budget and Council Tax	Personal Interest, as an Officer of the Council in relation to the Pay Policy Statement.

# Crawley Borough Council

## Minutes of Development Control Committee

4 March 2013 at 7.30pm

### Present:

Councillor J I Denman (Chair)

Councillors B J Burgess, D G Crow, C L Denman, I T Irvine, S J Joyce, C A Moffatt, A J E Quirk, P C Smith, G Thomas and W A Ward

### Officers Present:

Sally English	Democratic Services
Kevin Carr	Principal Lawyer – Corporate Support
Jean McPherson	Group Manager (Development Control)
Michelle Harper	Principal Planning Officer
Angela Tanner	Head of Planning & Environmental Services

### Apologies for Absence:

Councillors S A Blake, L A M Burke, K Brockwell, D J Shreeves

### 50. Lobbying Declarations

Councillors C Denman and J Denman were lobbied on agenda item 1:  
CR/2012/0574/FUL

Councillors B Burgess, C Denman, J Denman, D Crow, I Irvine, S Joyce, C Moffatt, A Quirk, P Smith, G Thomas and W Ward were lobbied on agenda item 3:  
CR/2012/0582/FUL

### 51. Members' Disclosure of Interests

Member	Minute Number	Subject	Type and Nature of Disclosure
Cllr G Thomas	Minute 53	CR/2012/0574/FUL 27 Worth Park Avenue, Pound Hill, Crawley	Personal interest. Cllr Thomas as he knew one of the applicants socially.
Cllr C Denman	Minute 53	CR/2012/0595/FUL Tilgate Park, Tilgate Drive, Tilgate, Crawley	Personal interest. Cllr Denman as a Member of the Council's Cabinet

Cllr D Crow	Minute 53	CR/2012/0595/FUL Tilgate Park, Tilgate Drive, Tilgate, Crawley	Personal interest. Cllr Crow as a Member of the Council's Cabinet
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## 52. Minutes

The minutes of the meeting of the Committee held on 4 February 2013 were then approved as a correct record and signed by the Chair.

## 53. Planning Applications List

The Committee considered report PES/107 of the Head of Planning and Environmental Services.

### RESOLVED

That in respect of the applications specified below, details of which are more particularly set out in report PES/105 of the Head of Planning and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

#### **Agenda item 001**

#### **CR/2012/0574/FUL**

27 Worth Park Avenue, Pound Hill, Crawley

Erection of first floor extension, front weather porch, demolition of existing rear extension & erection of single storey rear extension.

Councillors S Joyce and W Ward had attended the site visit.

Councillors C Denman, C Moffat P Smith, G Thomas and W Ward had visited the site independently.

The Principal Planning Officer gave a verbal update and then the applicant gave a presentation to the Members in which the following points were raised:

- Acknowledged current extension not in keeping with surrounding properties, but had been in situ so for some time
- Considered CBC Officer advice but felt suggestions did not adequately address their needs or result in acceptable design solution;
- Extending over flat roof means property more sustainable (would be 3 bedroomed, not 4-bedroomed)
- Property does not overlook, dominate or overshadow adjacent properties
- Proposal would not increase the footprint of the house, nor raise the roof height
- Keen to make the front of house look traditional whilst removing an ugly flat roof

Members noted the appearance of another property in the same road, No. 19, which is a higher property that appears to dominate other nearby properties. The proposal was felt to be reasonable by Members but it was noted that the property had previously been heavily screened by vegetation in the front garden. Due to the recent clearing of the front garden and removal of vegetation, the property was now more visible from the road and several Members suggested adding a landscaping condition to soften its appearance. It was also felt that the proposed extension would improve the appearance of the property, rather than worsen it.

The property had been extended without planning permission in the 1980s. A Member asked if the foundations, originally for a bungalow, would be able to support further extension and was informed that although that would be a consideration for Building Control..

**Permitted** subject to conditions including time limit, approved plans,; matching materials and finishes for external walls and roof; submission, approval and implementation of landscaping scheme for front boundary; in accordance with 'saved' Policies GD1, GD5 and BN10 of the Crawley Borough Local Plan 2000.

**Agenda item 003**  
**CR/2012/0582/FUL**

36 Alpha Road and rear of 13 Albany Road, West Green, Crawley

Erection of x 2 two bed semi-detached properties & the demolition of a garage block, change of use of 36 Alpha Road from B1 office space to C3 residential, providing 2 x one-bed flats including the removal of an existing single storey extension, parking modifications (including 4 spaces to the rear of 13 Albany Road), boundary treatment alterations & provision of new garden space.

The Group Manager provided a verbal update she had been copied in on the lobbying letter to Members and that WSCC raised no objection to the revised block plan and tandem parking arrangement and had recommended 2 extra conditions.

Two presentations were heard from two objectors. The first speaker presented the following views on the application:

- Proposal represents overdevelopment of site
- Amenity space was inadequate
- Concerns over practicality of tandem parking spaces and control of the parking spaces
- Claims that D&A statement was incorrect regarding as :
  - Noise & disturbance. Residents reported it was quiet at night and weekends
  - The parking situation in Alpha Road was under pressure
  - Considered site is viable as employment site. It was viable at time of purchase and prior to application

Members then heard from the second speaker, whose presentation focused on parking & congestion and included the following points:

- Current employment use does not compete for parking spaces & residents could park easily because of CPZ which operated 9am-5pm Mon-Sat
- Competition for parking was during evening, sometimes made worse by overspill from other area of Zone A

- Proposals had potential to add 12 residents to small Victorian street whilst only 3 spaces proposed next to new semi-detached properties.
- Concerns over practicality of tandem parking
- Parking spaces would be only 90cm from side of one semi-detached house – concern over manoeuvring out of spaces given narrow street and on street parking
- Felt it would be necessary to remove 2 existing parking spaces opposite the semi-detached properties, in order to facilitate turning that had already happened at 20 & 22 Albany road, the removal of further on street spaces would be to the detriment of existing residents
- Adjacent boundary treatments would be minimum 0.6m height despite existing covenants requiring fences to east and west of 13 Albany Road to be minimum 4ft.
- 13 Albany road appeared to be a House of Multiple Occupancy placing greater demand on parking
- Albany & Alpha Roads are Victorian and not designed for the present day volumes of traffic, very narrow and congested currently

The Group Manager informed the Members that WSCC deemed the tandem parking arrangement to be acceptable. She acknowledged that were the property at 13 Albany Road an HMO, it would suggest more independent living by the occupants and more spaces would be needed, but it was understood that this was not currently the case and the 2 proposed spaces were considered adequate for the property.

She addressed Members' concerns over the following elements of the proposed development:

1. Parking at 13 Albany Road was considered adequate with 2 spaces provided to the rear. It was noted that the current scheme provided 7 off-street parking spaces and the amount provided was in accordance with the maximum parking standards..
2. Provision of parking spaces across the road from the proposed flats was considered appropriate and accessible by the Planning Inspector
3. Amenity space. It was felt that the properties in the immediate area also had relatively small/short gardens which reflected the Victorian character of the area (development not considered inconsistent with that area)
4. Acknowledged proposed gardens do not meet current size standard, but immediate area and context must be taken into account  
Occupancy would be reduced from original application due to the removal of the extension at the rear to the flats, the upper floor would not be one-bedroom and not two-bedroom as with appeal scheme.
6. Windows. Members felt that use of obscured glass indicated issues of overlooking. The Group Manager assured them the use of obscured glass did not necessarily indicate overlooking problems but that it was typical for increased privacy for residents on side facing walls and and for bathrooms.

Members sought clarification on their consideration of the previous submission of the application which was refused and dismissed at appeal, the Group Manager advised that the previous application forms part of the planning history and is a material consideration. The application was very similar to the appeal proposal and had been revised and the applicant had acknowledged the Inspector's concerns and addressed the issues. Therefore, strong weight should be given to the conclusions of the previous appeal decision.



Members remained concerned over the size, density and form of the proposed development in such a small space, and the parking issues and concerns raised by the speakers. They were advised that the development was considered consistent with the area, and that it was a town centre location, and each property had off-street parking. WSCC has been consulted twice and on both occasions were satisfied with the amended design in respect of the site operational requirements.

Members voted against the recommendation to approve permission.

Given the debate and issues raised, Members then considered the reasons for refusal and voted on two proposed reasons for refusal and voted on each separately. The vote on refusing permission on the basis of cramped development was lost and one refusal reason in respect of parking and operational issues was agreed.

**Refused for the following reason:**

- 1 The proposed parking arrangements for the development would fail to meet its operational needs and cannot be adequately accommodated without an adverse impact on the surrounding area. The development would therefore be contrary to Policies GD1 and GD3 of the Crawley Borough Local Plan 2000, policy T3 of the Crawley Borough LDF Core Strategy and Supplementary Planning Document Planning Obligations and S106 agreements.

**Agenda item 004**  
**CR/2012/0592/FUL**

Unit 2, Meadowbrook Industrial Centre, Maxwell Way, Three Bridges, Crawley

Change of use from storage and distribution warehousing (B8) to a mixed general industrial/warehousing (B2/B8) use with ancillary office accommodation.

The Principal Planning Officer provided a verbal update and stated that following the limitation of the B2 floorspace through the planning conditions, WSCC were no longer seeking a TAD contribution for this application and therefore a Section 106 Agreement would not be required.

The applicant gave a short presentation to the Members, in which the following points were made:

- Loss of car parking would be mitigated by provision of cycle parking
- 30 jobs would be created under the proposal
- Environmental Health (EH) officers had undertaken in-depth analysis and were satisfied with the proposal

Members were pleased jobs would be created should this proposal be permitted, and reassured that EH had been consulted especially as there had been concerns over increased noise. Members were assured that conditions could be enforced if necessary, should problems of noise arise.

The following condition wording amended as follows: (condition reasons remain unaltered)

Condition 3 - The use hereby permitted shall not be exercised by any company other than Air Atlanta Aviaservices Ltd.

Condition 4 - No B2 (General Industrial) use class activity shall be undertaken within the building, unless any external windows and doors serving the B2 Use areas, and the roller shutter to the loading bay and fire escape entrances on the eastern elevation, indicated on drawing no. CBC0004 Revision B, are closed.

Condition 5 - B2 (General Industrial) use activities shall only be undertaken between the hours of:

0700-2000 - Monday to Fridays

0800-1800- on Saturdays

No B2 activities shall be operated on Sundays or Public Holidays.

Condition 6 - The site shall only operate between the hours of:

0600-2200 - Monday to Sundays

Condition 7 - The B2 (General Industrial) activities shall only be undertaken within the areas outlined in red on the proposed ground floor layout drawing, CBC0004 rev B.

**Permitted** subject to conditions including permission time limit, approved plans, personal occupancy ; closure of windows and doors for operation of Air Atlanta Aviaservices; Class B2 use ; restricted hours and location of Class B2 use of site; restricted operating hours for unit.

**Agenda item 005**  
**CR/2012/0595/FUL**

Tilgate Park, Tilgate Drive, Tilgate, Crawley

Erection of a reception cabin & forest shelter with associated rope courses.

The Principal Planning Officer provided a verbal update.

The applicant gave a presentation to the Members, in which the following points were made of the benefits of the scheme:

- Creation of local jobs
- Quality attraction to bring more people to Crawley
- Would introduce people to Tilgate Park & potentially generate return visits to the area
- Promotes physical activity and health benefits
- Proposal would improve condition of ancient woodland & assist in its management (Go Ape take their role as 'custodians' of woodland seriously)
- Unanimous support from public, LA officers and statutory consultees

Members noted the 140 supporting representations received in respect of this application, and most felt it would be a positive addition to Crawley's amenities. They recognised the opportunity for woodland management at no cost to the local authority, and felt overall it would be positive for Tilgate Park. Some members expressed concern this would over commercialise the park.

Some concern was raised about the impact of such a scheme upon the local fauna and flora. . Two hundred trees would need to be felled to accommodate the proposal but this was considered to be acceptable in order to have a smaller number of good quality trees re-planted, rather than a high number of weaker, smaller trees at present. It was also felt that had the woodland been better managed previously, there would already be a significantly reduced number of trees.

Other Members viewed the condition for a replanting scheme as an opportunity for the replacement trees to be specific or unusual varieties – it was felt this would enhance the tree trail in the park.

A query was raised over disabled access to the scheme and although this could not be confirmed, it was known that disabled visitors would be able to access the reception cabin.

**Permitted** subject to standard permission time limit , standard detailed conditions including development & management of site in accordance with conclusion & recommendations set out in Ecological Appraisal, November 2012; submission and approval of tree survey to be used in association with tree top adventure course, including details of course and fixings to individual trees; replacement tree planting scheme; works to be undertaken under supervision of the Borough Arboriculturist; restricted course operating hours; course and ancillary structures solely for recreational use; maintenance programme to include regular inspection of trees; removal of all structures and equipment from the site, should the use of the site cease; in accordance with policy BN21 of the Crawley Borough Local Plan 2000.

**Agenda item 002**  
**CR/2012/0575/FUL**

Land north of Radford Road & East of the Railway line, Tinsley Green, Pound Hill, Crawley

Flood attenuation project on the Gatwick Stream including excavation of material, construction of flow control structure, formation of earth embankments, diversion of section of Gatwick Stream, maintenance access to control structure, associated landscaping works and improvements to sewerage treatment works access road junction with Radford Road.

The Principal Planning Officer provided a verbal update and advised Members on the following:

- Conditions 3 & 4 had been proposed by the Environment Agency
- WSCC ecologist had raised no objection.
- Network Rail had not been consulted as it did not affect their land
- Removal of Himalyan Balsam was covered under condition 11
- It is hoped that the scheme would be completed before work commenced on the North East Sector development, which would avoid traffic problems, but the LPA cannot control timing
- The construction strategy included provision for routing vehicles in order to minimise disruption to residents in Radford Road
- Confirmation that Reigate & Banstead had responded in their capacity as a neighbouring local authority.

The following condition wording and reason amended as follows:

Condition 11 – The proposed development and associated preparatory works shall be undertaken and completed in strict accordance with the Ecological Mitigation Strategy as outlined in section 6 of the submitted Ecological Appraisal Report; mitigation shall be implemented in accordance with the details therein and under

the supervision of an Ecological Clerk of Works unless otherwise approved in writing by the Local Planning Authority.

REASON: To avoid impact on legally protected species (Wildlife and Countryside Act 1981) in accordance with Crawley Borough Council Local Plan En1 and GD5 and NPPF 118.

**Permit** subject to permission time limit ,approved plan, standard detailed conditions including submission & approval of a detailed scheme for the flood storage area, hydraulic flood modelling report and an implementation programme including gauging station details; completion of a detailed design for the new channel in the Gatwick stream (to include details of hydromorphology assessment, design of stream bed & sides, source of bed substrates, morphological enhancement level, tree planting, exact length of new river); submission & approval of landscaping including soft and water landscaping (details to include riparian planting, vehicular access track, temporary/permanent fencing and gates; felling & replacement of trees; protection of trees/hedges to be retained; submission & approval of design of diverted/realigned river canal and control structure (including details of habitat enhancement measures, design of the stream back & sides, and bank profiles); preparation of a construction method statement setting out timing, sequence and environmental protection plan; submission & approval of the bird prevention measures for the stream diversion/realignment measures (including details of rope/wire to be used, and flutter tape); submission and approval of measures to avoid creation of standing water areas; submission & approval of an HGV traffic routing plan; design, lay out and construction of the Radford Road access improvements; provision of passing bays along the access road; provision of wheel-cleaning facility; implementation of an archaeological work programme; completion of a biodiversity audit of aquatic interests in diverted section of the stream; in accordance with paragraphs 103, 108, 118 of the NPPF, Section 3 of the tree survey, Arboricultural Impact Assessment & Method Statement November 2012, Construction Management Strategy, Landscape, Access & Ecological Mitigation & Enhancement Strategy, policies EN1, EN3, EN4 of the LDF Core Strategy; policies GD34 and T2 of the Crawley Borough Local Plan 2000,

**54. Closure of Meeting**

With the business of the Committee concluded, the Chair declared the meeting closed at 10.25pm.

J I DENMAN  
Chair

# Crawley Borough Council

## Minutes of General Purposes Committee

11 March 2013 at 7.00pm

### Present:

Councillor R D Burrett (Chair)  
Councillor C A Cheshire (Vice–Chair)  
Councillors C R Eade, R A Lanzer and C G Oxlade

### Also in Attendance:

Mr Andrew Timms – Appointed Independent Person (Observing)

### Officers Present:

Kevin Carr Principal Lawyer  
Mez Matthews Democratic Services Officer

### Apologies for Absence:

Councillors M L Ayling, D G Crow and L A Walker

### 23. Members' Disclosure of Interests

No disclosures of interests were made by Members.

### 24. Minutes

The minutes of the meeting of the Committee held on 28 January 2013 were approved as a correct record and signed by the Chair.

### 25. Annual Review of the Constitution

The Committee considered report [LDS/060](#) of the Head of Legal and Democratic Services which:

- proposed changes to the Constitution as part of its annual review; and
- monitored the operation of the provisions relating to Call-In and Urgency to ensure that the procedure was not being abused.

The Committee noted that the majority of changes to the Constitution related to the re-organisation of information relating to Policy Framework Documents. It was also

highlighted that the monitoring of the provisions regarding Call-In and Urgency related to Protection from Call-In and not the Call-In Procedure as a whole.

**RESOLVED**

**RECOMMENDATION 1**

That the Full Council be recommended:

1. that the amendments to the Constitution proposed in Appendix 1 to these minutes be agreed;
2. to agree that since the provisions relating to Call-In and Urgency had not been used during the past twelve months, no change to the provisions was necessary at this stage.

**26. Closure of Meeting**

With the business of the Committee concluded, the Chair declared the meeting closed at 7.08pm.

R D BURRETT  
Chair

## CHANGES TO THE CONSTITUTION

### APPENDIX 1

Function	Proposed amendment	Reason for amendment
<p>Article 4: The Full Council – Page 16 (Mez Matthews)</p>	<p>Amend paragraph 4.1(a) of Article 4 to read as detailed in Appendix 1a.</p>	<p>For reasons given in paragraph 4.2 of report LDS/060.</p> <p>Deleted wording shown as crossed through.</p> <p><b>Additional wording shown in bold.</b></p>
<p>Functions of the Full Council – Page 75 (Lucasta Grayson)</p>	<p>Amend the first delegation relating to the terms and conditions on which staff hold office to read as follows:</p> <p><u>“The following function is delegated to the Head of People and Technology, Head of Finance, Revenues and Benefits and the relevant Director or the Chief Executive</u> To approve operational staffing changes below Head of Service level (including numbers of posts, post types, job duties, grades, deployment of posts, redundancies, flexible retirement, retirement in the interest of efficiency of the service <b>and retirement in exceptional circumstances as set out in the Council’s pension discretions</b>) to meet the operational needs of the service within the limits of the approved financial budget and Financial Procedure Rules, subject to compliance with Council policies and to no significant service implications.</p>	<p>The current pension discretions for the Council include a discretion to grant early retirement to an employee over 55 in exceptional circumstances, for example, where an individual has to provide long term care for a partner or other close relative with a terminal or debilitating illness. The proposed change will extend the delegation to include this category of retirement.</p> <p><b>Additional wording is shown in bold.</b></p>

Function	Proposed amendment	Reason for amendment
Responsibility for Cabinet Functions – Page 155  (Mez Matthews)	Amend bullet point (i) of the Responsibility for Cabinet Functions to read as detailed in Appendix 1b.	For reasons given in paragraph 4.2 of report LDS/060.  Deleted wording shown as crossed through.  <b>Additional wording shown in bold.</b>
Policy Framework Procedure Rules – Page 263  (Mez Matthews)	Amend paragraphs 1 and 2 of the Policy Framework Procedure Rules as detailed in Appendix 1c.	For reasons given in paragraph 4.2 of report LDS/060.  Section 139 of the Local Government and Public Involvement in Health Act 2007 c.28 removed the duty of Local Authorities to prepare a Best Value Performance Plan (Annual Performance Plan) and therefore the Council no longer produces this document.  Deleted wording shown as crossed through.  <b>Additional wording shown in bold.</b>



**EXCERPT FROM ARTICLE 4 – THE FULL COUNCIL**

**4.1. Meanings**

**(a) Policy Framework.**

The Policy Framework means the **plans and strategies set out in The Policy Framework Procedure Rules within this Constitution.**  
~~following plans and strategies:~~

~~Annual Performance Plan~~

~~Sustainable Community Strategy~~

~~Safer Crawley Partnership Plan~~

~~Adopting, approving, amending, modifying, revising, varying, withdrawing or revoking alterations and local development documents (under Section 17 of the Planning and Compulsory Purchase Act 2004) which together form the Local Development Plan including~~

~~(i) the approval for the purposes of public consultation in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, of draft proposals associated with the preparation of alterations to, or the replacement of, a development plan; and~~

~~(ii) the adoption of local development documents in accordance with Section 17(8) of the Planning and Compulsory Purchase Act 2004.~~

~~Functions relating to Supplementary Planning Documents remain the responsibility of the Cabinet.~~

~~Council's Corporate Plan~~

~~Housing Strategy~~

~~Crawley's Economic Plan~~

~~Statement of Licensing Policy~~

~~Corporate Equality Scheme~~

~~Waste Strategy~~

~~Asset Management Plan~~

~~Statement of Gambling Policy~~

~~(Responses on behalf of the Council to consultation papers where they relate to Policy Framework plans and strategies will be a function of the Cabinet.)~~

~~(In respect of policy framework documents, and matters relating to the control of the authority's borrowing, investments or capital expenditure, or to housing land transfer, the Cabinet will be responsible for putting draft documents to the Council and will be responsible for any consultation required or necessary in the course of preparing those documents. The Council will be responsible for the approval for the purposes of its submission to the Secretary of State of any plan or strategy (whether or not in the form of a draft) of which any part is required to be so submitted)~~

~~The function of amending, modifying, revising, varying, withdrawing or revoking a plan or strategy relating to the policy framework, to the control of the authority's borrowing, investments or capital expenditure, or for determining the authority's minimum revenue provision, or to housing land transfer shall be the responsibility of the Cabinet where such action:-~~

- ~~(i) is required to give effect to requirements of the Secretary of State in relation to a strategy or plan (or part of a strategy or plan) submitted for his/her approval; or~~
- ~~(ii) is recommended by the person carrying out, under Section 20 of the Planning and Compulsory Purchase Act 2004, an independent examination of a development plan document; or~~
- ~~(iii) is authorised by the Council when approving or adopting the plan or strategy~~

~~but shall not be the responsibility of the Cabinet in any other case.~~

~~In connection with the discharge of functions under Sections 28-31 of the Planning and Compulsory Purchase Act 2004 (joint Local Plans and joint Committees), the following actions shall not be the responsibility of the Cabinet:-~~

- ~~(i) The making of an agreement to prepare one or more joint Local Plans;~~
- ~~(ii) The making of an agreement to establish a joint Committee to be, for the purposes of Part 2 (local development) of the 2004 Act, the local planning authority;~~
- ~~(iii) (Where the authority is a constituent authority to a joint Committee, the making of an agreement that the joint Committee is to be, for the purposes of Part 2 of the Act, the local planning authority for any area or matter which is not the subject of an Order under Section 29 of the 2004 Act or an earlier agreement under Section 30 of the 2004 Act;~~

~~(iv) The making of a request to the Secretary of State for the revocation of an order constituting a joint Committee as the local planning authority for any area or in respect of any matter.~~

~~Any other function under Sections 28—31 of the Planning and Compulsory Purchase Act 2004 shall be the responsibility of the Cabinet.~~

**EXCERPT FROM THE RESPONSIBILITY FOR CABINET FUNCTIONS**

All the powers and duties of the Council are allocated to the Leader **EXCEPT:-**

- (i) approval or adoption of the Policy Framework, which means the ~~following~~ plans and strategies **set out in the Policy Framework Procedure Rules within this Constitution.**

- ~~● Annual Performance Plan~~
- ~~● Sustainable Community Strategy~~
- ~~● Safer Crawley Partnership Plan~~
- ~~● Adopting, approving, amending, modifying, revising, varying, withdrawing or revoking alterations and local development documents (under Section 17 of the Planning and Compulsory Purchase Act 2004) which together form the Local Plan including~~
  - ~~(a) the approval for the purposes of public consultation in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, of draft proposals associated with the preparation of alterations to, or the replacement of, a development plan; and~~
  - ~~(b) the adoption of local development documents in accordance with Section 17(8) of the Planning and Compulsory Purchase Act 2004.~~
- ~~● Functions relating to Supplementary Planning Documents remain the responsibility of the Cabinet~~
- ~~● The Council's Corporate Plan~~
- ~~● Housing Strategy~~
- ~~● Crawley's Economic Plan~~
- ~~● Statement of Licensing Policy~~
- ~~● Corporate Equality Scheme~~
- ~~● Waste Strategy~~
- ~~● Asset Management Plan~~
- ~~● Statement of Gambling Policy~~

~~(Responses on behalf of the Council to consultation papers where they relate to Policy Framework plans and strategies will be a function of the Cabinet)~~

~~(In respect of policy framework documents, and matters relating to the control of the authority's borrowing, investments or capital expenditure, or to housing land transfer, the Cabinet will be responsible for putting draft documents to the Council and will be responsible for any consultation required or necessary in the course of preparing these documents. The Council will be responsible for the approval for the purposes of its submission to the Secretary of State of any plan or strategy (whether or not in the form of a draft) of which any part is required to be so submitted)~~

~~The function of amending, modifying, revising, varying, withdrawing or revoking a plan or strategy relating to the policy framework, to the control of the authority's borrowing, investments or capital expenditure, or for determining the authority's minimum revenue provision, or to housing land transfer shall be the responsibility of the Cabinet where such action:-~~

- ~~(a) Is required to give effect to requirements of the Secretary of State in relation to a strategy or plan (or part of a strategy or plan) submitted for his/hor approval; or~~
  - ~~(b) Is recommended by the person carrying out, under Section 20 of the Planning and Compulsory Purchase Act 2004, an independent examination of a development plan document; or~~
  - ~~(c) Is authorised by the Council when approving or adopting the plan or strategy~~
- ~~but shall not be the responsibility of the Cabinet in any other case~~

~~In connection with the discharge of functions under Sections 28—31 of the Planning and Compulsory Purchase Act 2004 (joint L Plans and joint Committees), the following actions shall not be the responsibility of the Cabinet:-~~

- ~~(a) The making of an agreement to prepare one or more joint Local Plans;~~
- ~~(b) The making of an agreement to establish a joint Committee to be, for the purposes of Part 2 (local development) of the 2004 Act, the local planning authority;~~
- ~~(c) Where the authority is a constituent authority to a joint Committee, the making of an agreement that the joint Committee is to be, for the purposes of Part 2 of the Act, the local planning authority for any area or matter which is not the subject of an Order under Section 29 of the 2004 Act or an earlier agreement under Section 30 of the 2004 Act;~~
- ~~(d) The making of a request to the Secretary of State for the revocation of an order constituting a joint Committee as the local planning authority for any area or in respect of any matter.~~

~~Any other function under Sections 28—31 of the Planning and Compulsory Purchase Act 2004 shall be the responsibility of the Cabinet~~

**APPENDIX 1c**

**EXCERPT FROM THE POLICY FRAMEWORK PROCEDURE RULES**

**1. The Framework for Cabinet Decisions**

The Cabinet is responsible for proposing the **Policy Framework** to the Council.

The Council will be responsible for the adoption of its **Policy Framework** as set out in **paragraph 2 below Article 4**. Once a **Policy Framework** is in place, it will be the responsibility of the Cabinet to implement it.

**2. Policy Framework**

The Policy Framework means the following plans and strategies:-

- Statement of Licensing Policy
- Statement of Gambling Policy
- Crime and Disorder Reduction Strategy (Safer Crawley Partnership Plan)
- Sustainable Community Strategy
- **Development Plan Documents, including approval for the purposes of public consultation in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012** (Functions relating to ~~Supplementary Planning Documents~~ **other Local Development Documents** remain the responsibility of the Cabinet.)
- ~~Adopting, approving, amending, modifying, revising, varying, withdrawing or revoking alterations and local development documents (under Section 17 of the Planning and Compulsory Purchase Act 2004) which together form the Local Plan including~~
  - ~~(i) the approval for the purposes of public consultation in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, of draft proposals associated with the preparation of alterations to, or the replacement of, a development plan; and~~
  - ~~(ii) the adoption of local development documents in accordance with Section 17(8) of the Planning and Compulsory Purchase Act 2004.~~
- **Other plans and strategies that the Council and Cabinet consider should be adopted by the Full Council as a matter of local choice; for example:**
  - ~~Annual Performance Plan~~
  - **The Council's Corporate Plan**
  - Housing Strategy
  - Crawley's Economic Plan
  - Waste Strategy
  - Asset Management Plan

(Responses on behalf of the Council to consultation papers where they relate to Policy Framework plans and strategies will be a function of the Cabinet).

(In respect of **Policy Framework Documents**, and matters relating to the control of the authority's borrowing, investments or capital expenditure, or to housing land transfer, the Cabinet will be responsible for putting draft documents to the **Full Council** and will be responsible for any consultation required or necessary in the course of preparing those documents. The **Full Council** will be responsible for the approval for the purposes of its submission to the Secretary of State of any plan or strategy (whether or not in the form of a draft) of which any part is required to be so submitted).

In connection with the discharge of functions under Sections 28 –31 of the Planning and Compulsory Purchase Act 2004 (joint Local Plans and joint Committees), the following actions shall not be the responsibility of the Cabinet:-

- (i) The making of an agreement to prepare one or more joint Local Plans;
- (ii) The making of an agreement to establish a joint Committee to be, for the purposes of Part 2 (**Local Development**) of the 2004 Act, the local planning authority;
- (iii) Where the authority is a constituent authority to a joint Committee, the making of an agreement that the joint Committee is to be, for the purposes of Part 2 of the Act, the local planning authority for any area or matter which is not the subject of an Order under Section 29 of the 2004 Act or an earlier agreement under Section 30 of the 2004 Act;
- (iv) The making of a request to the Secretary of State for the revocation of an order constituting a joint Committee as the local planning authority for any area or in respect of any matter.

Any other function under Sections 28 – 31 of the Planning and Compulsory Purchase Act 2004 shall be the responsibility of the Cabinet

The function of amending, modifying, revising, varying, withdrawing or revoking a plan or strategy relating to the **Policy Framework**, to the control of the authority's borrowing, investments or capital expenditure, or for determining the authority's minimum revenue provision, or to housing land transfer shall be the responsibility of the Cabinet where such action:-

- (i) Is required to give effect to requirements of the Secretary of State in relation to a strategy or plan (or part of a strategy or plan) submitted for his/her approval; or
- (ii) Is recommended by the person carrying out, under Section 20 of the Planning and Compulsory Purchase Act 2004, an independent examination of a **Development Plan Document**; or
- (iii) Is authorised by the Council when approving or adopting the plan or strategy but shall not be the responsibility of the Cabinet in any other case.

# Crawley Borough Council

## Minutes of Audit and Governance Committee

13 March 2013 at 6.30pm

### Present:

Councillor	A J E Quirk (Chair)
Councillor	I T Irvine (Vice Chair)
Councillors	C A Cheshire, C R Eade and L A Walker

### Also in Attendance:

Mr P Nicolson – Appointed Independent Person.  
Alan Witty, Audit Manager, of Ernst and Young.

### Officers Present:

Ann-Maria Brown	Head of Legal and Democratic Services
Chris Corker	Fraud and Inspections Manager
Gillian Edwards	Audit and Risk Manager
Dave Rawlings	Head of Finance, Revenues and Benefits
Roger Brownings	Democratic Services Officer

### 23. Members' Disclosures of Interests

There were no disclosures of interest.

### 24. Minutes

The minutes of the meeting of the Committee held on 11 December 2012 were approved as a correct record and signed by the Chair.

### 25. Fraud and Inspections Team Report

The Committee considered report [FIN/296](#) of the Fraud and Inspections Manager, which focused on activity for the period from 24 November 2012 to 14 February 2013.

- The Committee acknowledged that service performance continued to improve, including the application of various sanctions.
- The report set out further details of the Service's work.



- In addition to clarifying a number of issues raised by Members, the Committee was advised that with regard to paragraph 5.2 of the report – regarding the outcome of closed cases, the YTD (Year to Date) column of case numbers was incorrect. These YTD numbers could be corrected by adding the case numbers shown for “This period”.

The Committee conveyed its thanks and appreciation to the Team for the excellent progress it was achieving.

## **RESOLVED**

That the report be noted.

### **26. Governance matter arising at the Committee’s 11 December 2012 meeting**

At its meeting on 11 December 2012, the Committee considered an Internal Progress Report by the Audit and Risk Manager (FIN/290). As part of that report, there had been a discussion on the Worth Park Restoration Project Audit 2012/13, along with detailed consideration of the role of project boards for major capital projects generally. A Member of the Committee sought information of the process for deciding the composition of those boards.

The Committee now considered Item 5 of the agenda for this meeting, which set out the information requested. In discussing the issues raised, the Member concerned referred to the Council’s continuing spend of funds on capital projects, and in this respect reiterated his view that arrangements for deciding the composition of project boards should be a more formal process, with that process incorporated within the Council’s constitution to further ensure openness and transparency.

In response to this matter, the Committee was reminded that project boards along with steering groups and working parties, were consultative and advisory bodies only and had no Executive Decision making functions. Projects were managed at different levels across the organisation, and Members were selected and involved in project boards, steering groups and informal working parties on a case by case basis, with the intention of being inclusive and not detracting from formal decision making structures. Whilst it was considered that there was nothing to cast doubt on the transparency of the composition process in place, and with the Committee generally supporting the information provided, it was felt that project board arrangements could be further enhanced, by clearly determining at the outset of a project as to whether it was a ward specific project (for which all Ward Members would be invited to form part of the related board’s membership) or town-wide project (for which all Members with an obvious interest would be invited to form part of that project board’s membership). The Committee thanked the Head of Legal and Democratic Services / Monitoring Officer for the information provided.

## **RESOLVED**

That the issues raised in item 5 of the agenda, and as above, be noted.

### **27. Audit Progress Report**

The Committee considered a progress report from Ernst and Young, and welcomed Alan Witty (of Ernst and Young) to the meeting. The Progress Report was attached as [Enclosure C](#) to the agenda.

Members acknowledged that the purpose of the Progress Report was to provide the Committee with an overview of the work completed to date as part of the 2012 / 2013 Audit, and to ensure that the Audit was aligned with the Committee's service expectations.

**RESOLVED**

That the Audit Progress Report be noted.

**28. Annual Certification Report (2011/12)**

The Committee considered the Annual Certification Report for 2011 / 2012 from Ernst and Young. The Certification Report was attached as [Enclosure D](#) to the agenda. The Committee was advised that:-

- The report was slightly unusual this year in that whilst Ernst and Young had been appointed as auditor for the year ended 31 March 2013, it had been requested to compile the Certification Report for 2011 / 2012.
- A significant amount of that 2011 / 2012 work had been carried out by the previous Audit Commission Engagement Team, with Ernst and Young completing the work on re-certifying the CFBO6 claim (Pooling of Housing Capital Receipts). The report refers specifically to this position.

With the report setting out the full background to this matter, including a summary of the work undertaken, the results of the certification work and the fees arising, the Committee was pleased to acknowledge that of the claims certified, no claims were qualified.

**RESOLVED**

That the Annual Certification Report (2011/12) be noted.

**29. Audit Plan 2012 / 2013**

The Committee considered the 2012 / 2013 Audit Plan prepared by Ernst and Young, which was attached as [Enclosure E](#) to the agenda.

The Audit Plan detailed the work that Ernst and Young proposed to undertake to satisfy its responsibilities, and the approach to identifying risks that were relevant to the audit of the Council's accounting statements and the Council's arrangements to secure value for money.

**RESOLVED**

That the Audit Plan for 2012 / 2013 be noted.

**30. Annual Audit Fee 2012 / 2013**

The Committee considered the letter from Ernst and Young on the Annual Audit Fee for 2012 / 2013. The letter was attached as [Enclosure F](#) to the agenda. In response to Members comments, the Committee was advised of the reasons for the reduction in fees compared with the previous year, including the savings generated as a result of the recent tender exercise for auditing services under the new five year contract

which had commenced with effect from September 2012. It was felt that the Council's new partnership with Ernst and Young in progressing issues as part of the audit process was proving at this stage to be very positive.

### **RESOLVED**

That the Annual Audit Fee for 2012 / 2013 be noted.

## **31. Internal Audit Annual Plan 2013 / 2014**

The Committee considered report [FIN/299](#) of the Head of Finance, Revenues & Benefits on the Internal Audit Plan for 2013 / 2014. The Plan, which was attached as Appendix A to the report, was drawn from Year 3 of the Strategic Internal Audit Plan for 2011-2013, and included for each audit area an outline scope.

Whilst it had been normal practice in previous years to draw up a plan to cover the whole of the financial year, the Council's recent undertaking of the Purpose and Measures exercise, and the appointment of the new external auditor (Ernst and Young) had resulted in the Head of Finance, Revenues and Benefits agreeing to a rolling three month plan to be put together for presentation and consideration at each of the Committee's meeting during the period concerned. Members sought and received clarification on a number of issues raised, including that in terms of the Purpose and Measures exercise and the Systems Thinking reviews. The Committee conveyed its thanks and appreciation to the Audit and Risk Team for all its work undertaken.

### **RESOLVED**

That the 2013 / 2014 Internal Audit Annual Plan be approved.

## **32. Internal Audit Progress Report as at 28 February 2013**

The Committee considered report [FIN/297](#) of the Audit and Risk Manager. The purpose of the report was to update the Committee on the progress made towards the completion of the 2012 / 2013 Internal Audit Plan, and to report on the progress made in implementing the previous recommendations of the Committee. The Audit and Risk Manager informed the Committee that since the last update:

- A number of reviews had been completed, and these were identified in Section 3 of the report.
- Where an audit opinion was applicable these had received an opinion of full assurance, with no high priority findings to report in this quarter. Further details of work being implemented were set out in paragraphs 3.2 of the report.

Whilst receiving clarification on a number of issues raised, the Committee noted all the Audit Plan reviews in progress, along with other work.

### **RESOLVED**

That the Internal Audit Progress Report be received and the progress made for the period up to 28 February 2013 be noted.

**33. Play Service Theft – CI1213.08  
(Exempt Paragraph 2 – Information which is likely to reveal the identity of an individual).**

The Committee discussed in detail report FIN/298 of the Audit and Risk Manager. Although certain safeguards in terms of enhancing one area of monetary security were yet to be finalised, progress on that work would be reported back to Members as part of an overall further assessment in relation to the Play Service audit - or earlier if work was delayed beyond the forthcoming Easter period. The Committee acknowledged that evidence to date was that recommendations were being implemented.

**RESOLVED**

That the report be received and the progress to date be noted.

**34. Closure of Meeting**

The meeting ended at 7.55 pm.

A J E QUIRK  
Chair

# Crawley Borough Council

## **Minutes of the Overview and Scrutiny Commission**

**Monday 18 March 2013 at 7.00pm**

These minutes are to follow

# Crawley Borough Council

## **Minutes of Cabinet**

**Wednesday 20 March 2013 at 7.30pm**

These minutes are to follow